91-1998

(1)

Supreme Court, U.S.
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No.

IN THE

Supreme Court of the United States

October Term, 1991

MICHAEL FIGURES and DR. JOSEPH MITCHELL, For Themselves and on Behalf of All Other Persons Similarly Situated,

Appellants,

and

PAUL CHARLES WESCH,

Plaintiff,

versus

GUY HUNT, Governor of Alabama, JAMES H. EVANS, BILLY JOE CAMP, Secretary of State of Alabama, LIONEL W. NOONAN, HARRY D'OLIVE, DEVON WIGGINS, OTHA LEE BIGGS, JERRY BOGAN, CLARENCE WATTERS, and TOM TURNER, Probate Judges, in their individual and official capacities,

Appellees.

On Appeal From The United States District Court For The Southern District of Alabama

JURISDICTIONAL STATEMENT

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QUESTION PRESENTED

WHETHER A DISTRICT COURT MAY REFUSE TO MODIFY ITS COURT-ORDERED PLAN FOR CONGRESSIONAL REAPPORTIONMENT TO CURE VIOLATIONS OF SECTION 5 OF THE VOTING RIGHTS ACT, AFTER THE ATTORNEY GENERAL OBJECTED ON THE MERITS TO A SIMILAR REAPPORTIONMENT PLAN ENACTED BY THE STATE LEGISLATURE.

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Rule 59(e), F.R.Civ.P. 4

Rule 60(b), F.R.Civ.P. 4

Other Authority:

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IN THE SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 1991

MICHAEL FIGURES, et al., Appellants,

PAUL CHARLES WESCH, Plaintiff,

vs.

GUY HUNT, et al., Appellees.

OPINIONS BELOW

The final judgment, order and memorandum opinion of the three-judge panel of the United States District Court for the Southern District of Alabama adopting a congressional redistricting plan containing a single majority black district, is unreported and is reproduced in the separately bound appendix at 5a.

The order of April 2, 1992, denying appellants' motion to modify the remedial plan to cure the Section 5 objection entered by the Attorney General, is unreported and is reproduced at 184a.

JURISDICTION

This is an appeal from the orders of a three-judge district court adopting its own remedial plan, and refusing to modify that plan so as to cure violations of Section 5 of the Voting Rights Act as found by the Attorney General, 42 U.S.C. §1973c. The three-judge court was convened pursuant to 28 U.S.C. §2284(a), as this action challenged the constitutionality of the apportionment of congressional districts in Alabama. A final order was entered on March 9, 1992, and the order refusing to modify the plan was

entered on April 2, 1992. Appellants' notice of appeal was filed April 8, 1992 in the district court. 1a.

This Court is authorized to hear this appeal by 28 U.S.C. §1253 and 42 USC §1973c.

STATUTORY PROVISION INVOLVED

This appeal involves Section 5 of the Voting Rights Act of 1965, 42 U.S.C. §1973c. The text of that section is reproduced at 230a.

STATEMENT OF THE CASE

On September 23, 1992, Paul Wesch brought this action seeking declaratory and injunctive relief against the Governor of Alabama, as well as other state officials, based on the malapportionment of the existing districting plan for congressional elections. On December 9, 1991, Michael Figures and Joseph Mitchell (Appellants herein), on behalf of a class of all qualified African-American electors in the state, were granted leave to intervene as parties plaintiff, asserting a violation of Section 2 of the Voting Rights Act, 42 U.S.C. §1973.

At the time the lawsuit was brought, the Alabama Legislature had adjourned its 1991 regular session without enacting a congressional redistricting plan, and the Governor, in his answer, indicated that he did not plan to call a special session for the purposes of redistricting. 140a. Accordingly, the three-judge court undertook to create an interim redistricting plan for the 1992 elections. The parties submitted six proposed redistricting plans, only one of which created two majority black districts, the Hilliard Plan. 141a-143a, 227a.

In the meantime, the Alabama Legislature reconvened and on March 5, 1992, adopted a congressional reapportionment plan which created a single majority black district (District 7 - 66.66% black population). The next day, March 6, 1992, Secretary of State Camp filed a motion asking the court to adopt the state's plan for purposes of the 1992 elections.

On March 9, 1992, the court denied Camps' motion and instead ordered into effect a modified version of one of the six proposed plans, the "Pierce Plan."[1] The plan, which is similar in many respects to that adopted by the legislature, created a single majority black district (District 7 - 67.53% black population).[2] A final judgment was entered that same day, enjoining defendants from failing to conduct the 1992 congressional elections in accordance with the court-ordered plan, unless the legislature's plan received preclearance no later than noon on March 27, 1992.
The judgment further provided that the court's plan would also be used "in calendar years after 1992" unless there was a precleared legislative plan in place at that time. 6a.

On March 11, 1992, the state submitted the legislature's plan to the Department of Justice for preclearance, in accordance with Section 5 of the Voting Rights Act. The Department of Justice, in response to the court's deadline, expedited consideration of the plan, and shortly before noon on March 27, 1992, interposed an objection to the legislature's redistricting plan. The basis of the objection was that the plan created only one majority black

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[1] Secretary of State Camp appealed that order to this court by Notice of Appeal dated March 13, 1992. The sole question presented in the jurisdictional statement was:

> Whether the three-judge court erred in denying appellant's motion to adopt a congressional redistricting plan enacted by the Alabama State Legislature and instead adopting a substantially different plan that, contrary to this Court's precedents, failed to adhere to the State Legislature's redistricting policies to the maximum extent possible?

Jurisdictional Statement, p. i., *Camp v. Wesch*, No. 91-1553.
On May 18, 1992, this Court summarily affirmed the three-judge court on that particular issue.

[2] To the extent that the plans differ, the legislature's plan is more favorable to minority voters. The court's plan includes a white congressional incumbent in the predominantly black district, while the legislative plan does not.

congressional district, despite the existence of alternative plans creating two majority black districts, thereby fragmenting concentrations of black population among several majority white districts. Specifically, the Attorney General found that:

> the fragmentation of black population concentrations outside of the one district with a black voting age population majority was unnecessary. Indeed, it is clear that at least the outlines of alternative plans that avoided such fragmentation were available or readily discernible by state officials and that such alternatives would provide for two Congressional districts with black voting age population majorities. These included plans with one district based on the black communities of Montgomery and Mobile Counties and the intervening and adjacent black-populated areas, and the other based upon the black popualtion of Jefferson County and southern Tuscaloosa County, together with black-populated areas to the south and west. Moreover, it appears that the elimination of this identified fragmentation would enhance the ability of black voters to elect representatives of their choice.

Letter from John R. Dunne, Assistant Attorney General of the Civil Rights Division of the U.S. Dept. of Justice to the Honorable Jimmy Evans, Attorney General of the State of Alabama (March 27, 1992)(Appendix 222a). By that same letter, the Attorney General precleared a change in the qualifying deadline, from April 3, 1992 to May 4, 1992. The district court was notified of the objection by Assistant Attorney General John Tanner. 226a.

Later that same day, Appellants filed a "Motion to Modify Court-Ordered Plan In Accordance With Section 5 Objection of Attorney General," pursuant to Rule 60(b), F.R.Civ.P., attaching a copy of the Letter of Objection. 174a.[3] Noting that the plan adopted by the court had only one majority black district, and

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[3] The Section 5 violation was not established until the Attorney General issued his letter of objection on April 27, 1992. Accordingly, the motion could not have been brought within the time to alter or amend the judgment under Rule 59(e).

therefore suffered from the same legal defect as that enacted by the legislature, Appellants requested an immediate evidentiary hearing at which the court's plan could be modified to cure the Voting Rights Act violation,[4] in time for qualifying to begin under the newly precleared schedule.

The court summarily denied the motion on April 2, 1992. 184a.

Appellants filed a Motion to Supplement the record on May 1, 1992, tendering the evidence which would have been presented, had the court held a hearing on their Motion to Modify. 185a to 220a. The evidence tendered included an alternative congressional reapportionment plan which created two majority black districts, one at 65% black population and the second at 56% black population, 191a, as well as declarations by the plan's author and Antonio Harrison,[5] explaining how the court's plan submerged and diluted black voting strength and how those deficiencies could be cured.[6] 213a and 216a. The motion was denied on May 20, 1992. 221a.

Appellants filed a notice of appeal on April 8, 1992. 1a.

---

[4] Intervenors noted that there was already one plan before the court ("Hillard Plan," creating one district at 59.33% black population and a second at 61.98% black population, reproduced at Appendix 227a) which would cure the Attorney General's objection, and that a second alternative plan would be presented to the Court by Intervenors.

[5] Harrison testified at the trial in support of the "Hilliard Two" plan, which created two majority black districts at 59% and 61% black population.

[6] The declarations also compared the court's plan to the legislature's plan, and explained that both plans created a single majority black district by combining black concentrations in Brimingham and Montgomery. Both plans excluded the substantial black population (117,872 people) of Mobile County, placing it in a majority white district. 214a.

THE QUESTION PRESENTED IS SUBSTANTIAL

What is at issue in this case is whether a district court may disregard its duty to cure objections entered by the Attorney General, pursuant to Section 5 of the Voting Rights Act, 42 U.S.C. §1973c, and thereby subvert the efficacy of the administrative preclearance requirement. While interim court-ordered plans are not themselves subject to Section 5 preclearance, this Court has plainly held, as Congress intended, that in fashioning such plans, a court must apply Section 5 standards. *McDaniel v. Sanchez*, 452 U.S. 130 (1981); *Upham v. Seamon*, 456 U.S. 37 (1982). *See also* S. Rep. No. 94-295, 94th Cong. 1st Sess. (1975). By refusing to modify its own racially flawed plan, when apprised of the objections raised by the Attorney General, the district court in this case circumvented and ignored the requirements of Section 5. Unless the decision is reversed, an objectionable Congressional reapportionment plan is likely to become the permanent plan for the decade, despite the prompt action of the Attorney General in entering an objection, thereby interfering with the Attorney General's responsibilities and denying minority voters their protected rights to equal participation.

I. IN REFUSING TO MODIFY ITS REMEDIAL PLAN TO CURE ESTABLISHED SECTION 5 DEFECTS, THE DISTRICT COURT COMMITTED PLAIN ERROR

It is well-settled that "redistricting and reapportioning legislative bodies is a legislative task which the federal courts should make every effort not to pre-empt." *Connor v. Finch*, 431 U.S. 407 (1977); *Chapman v. Meier*, 420 U.S. 1 (1975). However, this Court has recognized that "when those with legislative responsibilities do not respond, or the imminence of a state election makes it impractical for them to do so, it becomes the 'unwelcome obligation'...of the federal court to devise and impose a reapportionment plan pending later legislative action." *Wise v. Lipscomb*, 437 U.S. 535, 540 (1978).

Once a federal court embarks on that path, it is "held to stricter standards...than a state legislature." *Wise, supra*, citing *Connor v. Finch*. This is true because "the court's task is inevitably an exposed and sensitive one that must be accomplished circumspectly." *Chapman v. Meier*, 420 U.S. 1, 26 (1975). A court-ordered plan must be "free from any taint of arbitrariness or discrimination," *Connor v. Finch*, 431 U.S. at 415, quoting *Roman v. Sincock*, 377 U.S. 695, 710 (1964), and is subject to "special standards...of racial fairness," *Upham v. Seamon*, 456 U.S. 37, 39 (1982).

Perhaps the most important standard of racial fairness is compliance with the Voting Rights Act of 1965, 42 U.S.C. §1971, *et seq.* While a court-ordered plan is undoubtedly subject to the requirements of Section 2, *Edge v. Sumter County School District*, 773 F.2d 1509 (11th Cir. 1985), *Jordan v. Winter*, 541 F.Supp. 1135 (N.D.Miss 1982), *vacated and remanded sub nom Brooks v. Winter*, 461 U.S. 921 (1983), it is equally well-established that Section 5's protections are applicable to interim court-ordered redistricting remedies. In 1975, when Congress extended the

protections of Section 5 of the Act through 1985,[7] it did so to "guarantee Federal protection of minority voting rights during the years that the post-census redistrictings will take place," S. Rep. No. 94-295, 94th Cong. 1st Sess., 19 (1975).[8] This Court found, in *McDaniel v. Sanchez*, 452 U.S. at 148 (1981), that Congress specifically intended that Section 5 apply not only to legislative plans, but also to court-ordered remedies as well:

> The Committee unambiguously stated that the statutory protections are to be available even when the redistricting is ordered by a federal court to remedy a constitutional violation that has been established in pending federal litigation. The Committee Report is crystal clear on this point.

Id. Where, as in the instant case,

> the court, because of exigent circumstances, actually fashions a plan itself instead of relying on a plan presented by a litigant...the court should follow the appropriate Section 5 standards, including the body of administrative and judicial precedents developed in Section 5 cases.

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[7] In 1982, the Voting Rights Act was again amended and Section 5 was extended through 2007. Pub. L. No. 97-205, 96 Stat. 131.

[8] The fundamental role that Section 5 plays in protecting the rights of minority voters cannot be overstated. Section 5 was enacted to bring to an end "nearly a century of systematic resistance to the Fifteenth Amendment." *South Carolina v. Katzenbach*, 383 U.S. 301, 328 (1966). That provision, which shifts "the advantage of time and inertia from the perpetrators of the evil to its victims," replaced case-by-case litigation with remedies which "go into effect without any need for prior adjudication." *Id.* To permit a court to shirk its responsibility to apply Section 5 standards when fashioning an interim remedy would again reverse those burdens, forcing the victims of discrimination to file yet another lawsuit (under Section 2) to remedy the flaws in the court's plan.

Id., quoting from S.Rep. No. 94-295, *supra*, at 18. It is the district court's failure to do so that requires reversal.

The Attorney General, on March 27, 1992, found that the state's congressional reapportionment plan violated Section 5 of the Voting Rights Act. The basis of the objection was that the plan created only one majority black district (combining Montgomery and Birmingham), despite the existence of alternative plans creating two majority black districts, thereby fragmenting concentrations of black population (including Mobile County) among several majority white districts. 223a. The remedial plan adopted by the court used the same Birmingham/Montgomery configuration for its sole majority black district, similarly submerging and fragmenting black population concentrations. 214a.

The proper course for the district court to follow once apprised of the statutory flaws in a plan fragmenting concentrations of black population, as evidenced by the Attorney General's Section 5 objection, was to modify its own remedial plan to cure that Section 5 defect. *Upham v. Seamon, supra,* 456 U.S. at 42.[9] There was ample time to do so without delaying the June primary.[10] *See*

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[9] While it is true that the parties below stipulated that Section 2 of the Voting Rights Act, 42 U.S.C. §1973, required the creation of a majority black district that had at least 65% black population, 138a, that stipulation could not relieve the trial court of its obligation to cure the subsequent violation of Section 5 as found by the Attorney General. The parties have no authority to pre-empt the operation of Section 5.

It is not unusual for parties to agree (through, for example, a Consent Order) to the adoption of a particular plan, only to have the plan rejected by the Attorney General once it is submitted for preclearance under Section 5. The objection, once entered, supercedes any prior stipulations or findings, and must be cured.

[10] While this Court has on occasion "authorized District Courts to order or to permit elections to be held pursuant to apportionment plans that do not in all respects measure up to the legal

Connor v. Johnson, 402 U.S. 690 (1971). Appellants filed their Motion to Cure on March 27, 1992, the same day the Attorney General notified the court of his Section 5 objection. At that time, five full weeks remained before the close of the extended candidate filing period (May 1, 1992).[11]

There were alternative plans readily available to the court which would have cured the objectionable features of the plan, i.e., the failure to create two majority black districts. The first, which was introduced at trial, was the Hilliard Plan, creating a 59% black district and a 62% black district. 227a. The second, tendered by Appellants in their Motion to Supplement the Record, created a 65% black district and a 56% black district. 191a. The court's refusal to take any curative action in the face of such serious racial dilution was plain error, in violation of the prior decisions of this Court, and warrants summary reversal.

Assuming, *arguendo*, that the court's refusal to modify its remedial plan was justified by the exigencies of the upcoming election, this Court should still summarily reverse and remand for curative action by the district court. The court's final judgment expressly requires that the court-ordered plan be used not just in the 1992 elections, but also "in calendar years after 1992" unless a legislative plan is precleared "in time for congressional elections to proceed without delay under then applicable state and federal law." 6a. While it is now too late to adopt a racially fair plan for the 1992 elections -- and Appellants do not seek to do so -- there is no basis for permitting any further use of the court's flawed remedial plan. *See, e.g., Connor v. Williams*, 404 U.S. 549, 551

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requirements, even constitutional requirements," that exception has been narrowly limited to those situations where "[n]ecessity has been the motivating factor." *Upham v. Seamon*, 456 U.S. 37, 44 (1982). No such necessity existed here.

[11] While qualifying was originally scheduled to close on April 3, 1992, that deadline was extended by the legislature until May 1, 1992. The change was precleared by the Attorney General in his letter of March 27, 1992. 222a.

(1972)["The prospective validity of the plan for the 1975 elections, absent legislative action, poses different issues..."]

Unless action is taken by this Court, the most likely scenario is that the objectionable one-district "interim" plan adopted by the court will remain in effect until the next reapportionment in 2002, effectively nullifying the Attorney General's objection and Section 5 itself. Under the terms of the Final Judgment, congressional elections in calendar years after 1992 shall be conducted in accordance with the court-ordered plan, unless the Alabama Legislature enacts a new plan and has it precleared in time for the next congressional elections. The anomolous result is that, under the order as written, compliance with the requirements of Section 5 will hinge on the *legislature*'s action or inaction. *Only if* the legislature enacts a new plan and submits it for preclearance will the Attorney General's objection be enforced, and a racially fair plan adopted. However, the legislature would have little or no incentive to revisit congressional reapportionment, a process that would be both contentious and gratuitous, in that it would have on impact on legislative redistricting, particularly now that the court's decision not to adopt the legislature's plan has been affirmed.[12]

If Section 5 standards are to have any meaning, this Court must enforce its prior decisions, requiring district courts, when fashioning their own plans, to "follow the appropriate Section 5 standards, including the body of administrative and judicial precedents developed in Section 5 cases." *McDaniel v. Sanchez*, 452 U.S. at 148, quoting from S.Rep. No. 94-295, *supra*, at 18. Summary reversal is appropriate.

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[12] *See, e.g., S.C. State Conference of Branches of the N.A.A.C.P. v. Riley*, 533 F. Supp. 1178 (D.S.C.1982), in which a 1982 court-ordered congressional redistricting plan remained in effect until after the 1990 census.

II. ON REMAND, THE DISTRICT COURT SHOULD ADOPT THE LEGISLATURE'S PLAN AND MAKE ALL NECESSARY MODIFICATIONS TO CURE THE SECTION 5 VIOLATIONS

Whenever possible, a federal district court should follow the policies and preferences of the state, as expressed in the reapportionment plans proposed by the state legislature, including plans for congressional reapportionment. *White v. Weiser*, 412 U.S. 783, 795 (1973). While this Court has affirmed the district court's decision to implement its own plan for the 1992 elections, rather than adopting that enacted by the legislature, there is no basis for any further use of the court's plan.

The legislature duly adopted a plan for the reapportionment of the state's congressional districts on March 5, 1992, over the Governor's veto. The plan was submitted for preclearance, and on March 27, 1992, the Attorney General objected, finding that the state's failure to create two majority black districts unnecessarily fragmented black population concentrations. That plan is entitled to judicial deference to the extent that it complies with the constitutional and statutory to which such plans are subject. *Upham v. Seamon, supra,* 456 U.S. at 42, citing *White v. Weiser, supra,* 412 U.S. at 797. While much of the state's plan, like the court's plan, is objectionable (and therefore unenforceable) because of its failure to create two majority black districts, not all policy choices made by the state are similarly flawed. Among the relevant differences between the two plans is the absence, in the state's plan, of a white incumbent in the new minority district. The court is obligated to follow such policy decisions, *White v. Weiser, supra,* particularly where (as here) the court's choice adversely affects protected minority voters.

Accordingly, on remand, the district court should be ordered to adopt the plan enacted by the Alabama legislature, making such modifications as it finds are necessary to cure the Section 5 violations set out in the Attorney General's letter of March 27,

1992.[13] In the alternative, the court should, on remand, make all necessary modifications to its own remedial plan to cure the Section 5 deficiencies as found by the Attorney General.

CONCLUSION

The district court, in refusing to modify its reapportionment plan to cure the objection entered by the Attorney General, circumvented and ignored the requirements of Section 5 of the Voting Rights Act, in violation of clearly established law. Summary reversal is appropriate.

On remand, the district court should be instructed to adopt the legislature's plan, and to make all modifications necessary to cure the Section 5 violation as found by the Attorney General. In the alternative, the district court should be required to modify its own remedial plan so as to cure the existing violations of Section 5.

Respectfully submitted,

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[13] Contrary to the suggestion of Governor Hunt in his Motion to Dismiss or Affirm in *Camp v. Wesch,* No. 91-1553, it is possible to modify the legislature's plan to satisfy the Justice Depart- ment's objections. While it is true that the objection, which requires the creation of a second majority black congressional district, would require substantial revisions of that plan, the changes would be no more substantial than those required to modify the court's own interim plan. Both the court's plan and the legislature's plan create only one majority black district, and fragment black population concentrations in Mobile, Macon, Bulloch, Lowndes, Dallas and Wilcox Counties. 214a.

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EDITOR'S NOTE

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October Term, 1991

MICHAEL FIGURES and DR. JOSEPH MITCHELL,
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Persons Similarly Situated,

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PAUL CHARLES WESCH,

Plaintiff,

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GUY HUNT, Governor of Alabama, JAMES H. EVANS, BILLY JOE CAMP, Secretary of State of Alabama, LIONEL W. NOONAN, HARRY D'OLIVE, DEVON WIGGINS, OTHA LEE BIGGS, JERRY BOGAN, CLARENCE WATTERS, and TOM TURNER, Probate Judges, in their individual and official capacities,

Appellees.

On Appeal From The United States District Court
For The Southern District of Alabama

APPENDIX TO JURISDICTIONAL STATEMENT

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IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

Civil Action No. 91-0787
(Three Judge Court)

PAUL CHARLES WESCH,

Plaintiff

vs.

MICHAEL FIGURES, ET AL.,

Intervenor-Plaintiffs,

vs.

GUY HUNT, ET AL.,

Defendants.

NOTICE OF APPEAL

[Filed April 8, 1992]

COME NOW Intervenor-Plaintiffs, Michael Figures and others, and gives notice of their appeal to the Supreme Court of the United States from the March 9, 1992 Final Judgment of the Three Judge Court of the United States District Court for the Southern District of Alabama, from the Three Judge Court's denial of Intervenor-Plaintiffs' Motion for Stay Pending Preclearance of Court Ordered Plan and for Order to Submit Court Ordered Plan for Preclearance, and the Court's April 2, 1992 Order denying Intervenor-Plaintiffs' Motion to Modify the Court Ordered Plan in accordance with the Section 5 Objection of the Attorney General of the United States.

Respectfully submitted this 8th day of April 1992,

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CERTIFICATE OF SERVICE

I hereby certify that I have on this 8th day of April, 1992, served a true and correct copy of the foregoing Motion on each of the following, by depositing a copy of same in the U.S. Mail, properly addressed and first class postage prepaid, as follows:

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Intervenors

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

Civil Action No. 91-0787

PAUL CHARLES WESCH,
Plaintiff,

MICHAEL FIGURES, *et al.*,
Intervenor-Plaintiffs,

vs.

GUY HUNT, JAMES H. EVANS, BILLY JOE CAMP, LIONEL W. NOONAN, HARRY D'OLIVE, DEVON WIGGINS, OTHA LEE BIGGS, JERRY BOGAN, CLARENCE WATTERS, and TOM TURNER,
Defendants.

FINAL JUDGMENT

[Filed Mar. 9, 1992]

Before COX, Circuit Judge, HAND, Senior District Judge, and ALBRITTON, District Judge.

BY THE COURT

It is ordered, adjudged, and decreed as follows:

1. It is declared that Ala. Code § 17-20-1 (1987), as it read prior to its amendment in 1992, if applied to congressional elections in 1992, violates Art. I, § 2 of the United States Constitution.

2. The defendants, individually, and their successors, agents, employees, attorneys, and those persons otherwise

acting in concert or in participation with them who receive actual notice of this order, are ENJOINED from:

(a) conducting congressional elections in the State of Alabama under the districting plan heretofore established by Ala. Code § 17-20-1 (1987) as that section read prior to its 1992 amendment;

(b) failing to conduct congressional elections in 1992 in accordance with a redistricting plan adopted by this court and called "The 1992 Alabama Redistricting Plan," which is verbally described in Appendix A to this order. Appendix B to this order is a map depicting the plan. (The map is appended simply to illustrate the plan, and Appendix A shall control in the event of any conflict between it and Appendix B). Provided, however, that the injunction contained in this paragraph (b) shall not be effective if the Alabama Legislature duly enacts a redistricting plan for the conduct of congressional elections in 1992 and has the same precleared no later than 12:00 noon, Central Time, March 27, 1992; and

(c) failing to conduct congressional elections in calendar years after 1992 in accordance with the 1992 Alabama Redistricting Plan described in paragraph (b) above. Provided, however, that the injunction contained in this paragraph (c) shall not be effective in the event the Alabama Legislature duly enacts a redistricting plan and has the same precleared in accordance with federal law in time for congressional elections to proceed without delay under then applicable state and federal law.

All the judges concur.

APPENDIX A

"Units Assigned to a District"

The following description lists the census geographical units (as contained within the State computer's reapportionment data base) composing each congressional district. When a county is entirely within a congressional district the county and its population are listed as a single line. For the seven counties split by congressional district lines, the county name is listed without population figures and subsequent lines give voting precincts and population figures for each precinct in that county. For the ten voting precincts split by congressional district lines, the name of the precinct is listed without population figures, followed by lines listing the census tract, the census block group number, and then the census block within each tract and block group, with population figures. Lines at the end of each block group, tract, precinct, or county listing give summary population totals for that unit in the particular congressional district.

DB: Alabama
Plan: Redistrict

Units Assigned to a District
District 1
Total Populations, All Ages

Plan type: Congressional Districts

Census Unit	Total Pop.	Total White	Total Black	Total Am. Ind.	Total Asian/PI	Total Other
Baldwin County	98,280	84,565	12,640	630	221	224
	100.00%	86.04%	12.86%	0.64%	0.22%	0.23%
Clarke County						
Carlton/Gainestown/Choctaw	2,018	319	1,694	1	3	1
	100.00%	15.81%	83.94%	0.05%	0.15%	0.05%
Jackson	3,606	1,567	2,025	13	0	1
	100.00%	43.46%	56.16%	0.36%	0.00%	0.03%
Walker Springs	586	263	319	4	0	0
	100.00%	44.88%	54.44%	0.68%	0.00%	0.00%
Allen	391	22	369	0	0	0
	100.00%	5.63%	94.37%	0.00%	0.00%	0.00%
McVay/Parkertown/Jackson	4,405	3,580	807	6	9	3
	100.00%	81.27%	18.32%	0.14%	0.20%	0.07%
Salitpa						
Tract 9579						
Block Group 1						
Block 109	0	0	0	0	0	0
Block 110	0	0	0	0	0	0

Block 111	0	0	0	0	0	0
Block 112	0	0	0	0	0	0
Block 113	0	0	0	0	0	0
Block 114	21 100.0%	0 0.00%	21 100.00%	0 0.00%	0 0.00%	0 0.00%
Block 115	103 100.00%	63 61.17%	40 38.83%	0 0.00%	0 0.00%	0 0.00%
Block 116	23 100.00%	7 30.43%	16 69.57%	0 0.00%	0 0.00%	0 0.00%
Block 117	52 100.00%	0 0.00%	52 100.00%	0 0.00%	0 0.00%	0 0.00%
Block 118	0	0	0	0	0	0
Block 119	95 100.00%	95 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 121	0	0	0	0	0	0
Block 144	0	0	0	0	0	0
Block 145	0	0	0	0	0	0
Water block 199B	0	0	0	0	0	0
Water block 199C	0	0	0	0	0	0
Water block 199D	0	0	0	0	0	0
Water block 199E	0	0	0	0	0	0
Water block 199F	0	0	0	0	0	0
Water block 199G	0	0	0	0	0	0

DB: Alabama
Plan: Redistrict

Plan type: Congressional Districts

Units Assigned to a District
District 1
Total Populations, All Ages

Census Unit	Total Pop.	Total White	Total Black	Total Am. Ind.	Total Asian/PI	Total Other
Total Block Group 1	294	165	129	0	0	0
	100.00%	56.12%	43.88%	0.00%	0.00%	0.00%
Block Group 8						
Block 801	25	22	3	0	0	0
	100.00%	88.00%	12.00%	0.00%	0.00%	0.00%
Block 802	0	0	0	0	0	0
Block 803	27	0	27	0	0	0
	100.00%	0.00%	100.00%	0.00%	0.00%	0.00%
Block 804	0	0	0	0	0	0
Water block 899D	0	0	0	0	0	0
Water block 899E	0	0	0	0	0	0
Total Block Group 8	52	22	30	0	0	0
	100.00%	42.31%	57.69%	0.00%	0.00%	0.00%
Total Tract 9579	346	187	159	0	0	0
	100.00%	54.05%	45.95%	0.00%	0.00%	0.00%
Total Salitpa	346	187	159	0	0	0
	100.00%	54.05%	45.95%	0.00%	0.00%	0.00%

Winn/Zimco						
Tract 9577						
Block Group 2						
Block 230						
Block 231	0	0	0	0	0	0
	58	13	45	0	0	0
Block 232	100.00%	22.41%	77.59%	0.00%	0.00%	0.00%
	1	0	1	0	0	0
Water block 299A	100.00%	0.00%	100.00%	0.00%	0.00%	0.00%
Total Block Group 2	0	0	0	0	0	0
	59	13	46	0	0	0
Total Tract 9577	100.00%	22.03%	77.97%	0.00%	0.00%	0.00%
	59	13	46	0	0	0
Tract 9578	100.00%	22.03%	77.97%	0.00%	0.00%	0.00%
Block Group 6						
Block 612						
	5	5	0	0	0	0
Total Block Croup 6	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
	5	5	0	0	0	0
Block Group 7	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Block 707						
	16	6	10	0	0	0
Block 708	100.00%	37.50%	62.50%	0.00%	0.00%	0.00%
Total Block Group 7	0	0	0	0	0	0
	16	6	10	0	0	0
	100.00%	37.50%	62.50%	0.00%	0.00%	0.00%

DB: Alabama
Plan: Redistrict

Units Assigned to a District
District 1
Total Populations, All Ages

Plan type: Congressional Districts

Census Unit	Total Pop.	Total White	Total Black	Total Am. Ind.	Total Asian/PI	Total Other
Total Tract 9578	21	11	10	0	0	0
	100.00%	52.38%	47.62%	0.00%	0.00%	0.00%
Tract 9579						
Block Group 1						
Block 101	0	0	0	0	0	0
Block 102	15	10	5	0	0	0
	100.00%	66.67%	33.33%	0.00%	0.00%	0.00%
Block 103	0	0	0	0	0	0
Block 107	2	2	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Block 123	59	20	38	1	0	0
	100.00%	33.90%	64.41%	1.69%	0.00%	0.00%
Block 124	167	45	122	0	0	0
	100.00%	26.95%	73.05%	0.00%	0.00%	0.00%
Block 125	0	0	0	0	0	0
Block 126	156	11	145	0	0	0
	100.00%	7.05%	92.95%	0.00%	0.00%	0.00%

Block 127	0	0	0	0	0	0
Block 128	0	0	0	0	0	0
Block 130	1	0	1	0	0	0
	100.00%	0.00%	100.00%	0.00%	0.00%	0.00%
Block 131	7	3	4	0	0	0
	100.00%	42.86%	57.14%	0.00%	0.00%	0.00%
Block 132	0	0	0	0	0	0
Block 133	5	5	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Block 134	4	4	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Block 135	59	26	33	0	0	0
	100.00%	44.07%	55.93%	0.00%	0.00%	0.00%
Block 136	25	18	7	0	0	0
	100.00%	72.00%	28.00%	0.00%	0.00%	0.00%
Water block 199H	0	0	0	0	0	0
Total Block Group 1	500	144	355	1	0	0
	100.00%	28.80%	71.00%	0.20%	0.00%	0.00%
Total Tract 9579	500	144	355	1	0	0
	100.00%	28.80%	71.00%	0.20%	0.00%	0.00%
Total Winn/Zimco	580	168	411	1	0	0
	100.00%	28.97%	70.86%	0.17%	0.00%	0.00%
Grove Hill/Whatley/Greenwood/Hellw	3,835	2,408	1,421	3	3	0
	100.00%	62.79%	37.05%	0.08%	0.08%	0.00%

DB: Alabama
Plan: Redistrict

Units Assigned to a District
District 1
Total Populations, All Ages

Plan type: Congressional Districts

Census Unit	Total Pop.	Total White	Total Black	Total Am. Ind.	Total Asian/PI	Total Other
Grove Hill City Hall	1,551	976	560	7	3	0
	100.00%	62.93%	36.11%	0.45%	0.52%	0.00%
New Prospect/Chilton	274	274	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Liberty	269	256	13	0	0	0
	100.00%	95.17%	4.83%	0.00%	0.00%	0.00%
Basni	403	338	61	0	1	3
	100.00%	83.87%	15.14%	0.00%	0.25%	0.74%
Thomasville	5,859	3,787	2,056	9	7	0
	100.00%	64.64%	35.09%	0.15%	0.12%	0.00%
Total Clarke County	24,123	14,145	9,895	44	31	8
	100.00%	58.64%	41.02%	0.18%	0.13%	0.03%
Escambia County	35,518	24,326	10,046	1,047	58	41
	100.00%	68.49%	28.28%	2.95%	0.16%	0.12%
Mobile County	378,643	254,853	117,872	1,940	3,398	580
	100.00%	67.31%	31.13%	0.51%	0.90%	0.15%

Monroe County	23,968	14,320	9,372	215	54	7
	100.00%	59.75%	39.10%	0.90%	0.23%	0.03%
Washington County	16,694	10,984	4,623	1,068	14	5
	100.00%	**65.80%**	**27.69%**	**6.40%**	0.08%	0.03%
Total District 1	577,226	403,193	164,448	4,944	3,776	865
	100.00%	69.85%	28.49%	**0.86%**	**0.65%**	**0.15%**

DB: Alabama
Plan: Redistrict

Units Assigned to a District
District 2
Total Populations, All Ages

Plan type: Congressional Districts

Census Unit	Total Pop.	Total White	Total Black	Total Am. Ind.	Total Asian/PI	Total Other
Autauga County	34,222 100.00%	27,144 79.32%	6,845 20.00%	71 0.21%	120 0.35%	42 0.12%
Barbour County	25,417 100.00%	14,118 55.55%	11,194 44.04%	46 0.18%	44 0.17%	15 0.06%
Bullock County	11,042 100.00%	3,036 27.50%	7,986 72.32%	8 0.07%	10 0.09%	2 0.02%
Butler County	21,892 100.00%	13,049 59.61%	8,798 40.19%	24 0.11%	19 0.09%	2 0.01%
Coffee County	40,240 100.00%	32,702 81.27%	6,917 17.19%	163 0.41%	317 0.79%	141 0.35%
Conecuh County	14,054 100.00%	8,063 57.37%	5,925 42.16%	43 0.31%	13 0.09%	10 0.07%
Covington County	36,478 100.00%	31,551 86.49%	4,777 13.10%	72 0.20%	48 0.13%	30 0.08%
Crenshaw County	13,635 100.00%	10,048 73.69%	3,544 25.99%	27 0.20%	11 0.08%	5 0.04%
Dale County	49,633 100.00%	39,365 79.31%	8,847 17.82%	239 0.48%	731 1.47%	451 0.91%

Elmore County	49,210	37,850	11,039	137	129	55
	100.00%	76.92%	22.43%	0.28%	0.26%	0.11%
Geneva County	23,647	20,682	2,824	93	15	33
	100.00%	87.46%	11.94%	0.39%	0.06%	0.14%
Henry County	15,374	9,918	5,395	31	6	24
	100.00%	64.51%	35.09%	0.20%	0.04%	0.16%
Houston County	81,331	61,513	18,954	287	470	107
	100.00%	75.63%	23.30%	0.35%	0.58%	0.13%
Montgomery County						
Cloverdale Community Center	7,177	6,644	489	13	25	6
	100.00%	92.57%	6.81%	0.18%	0.35%	0.08%
Normandale Library						
Tract 0020						
Block Group 3						
Block 301	30	30	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Block 302	48	42	6	0	0	0
	100.00%	87.50%	12.50%	0.00%	0.00%	0.00%
Block 303	103	103	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Block 304	47	47	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Block 305	56	48	8	0	0	0
	100.00%	85.71%	14.29%	0.00%	0.00%	0.00%

DB: Alabama
Plan: Redistrict

Plan type: Congressional Districts

Units Assigned to a District
District 2
Total Populations, All Ages

Census Unit	Total Pop.	Total White	Total Black	Total Am. Ind.	Total Asian/PI	Total Other
Block 306	89	88	0	0	0	1
	100.00%	98.88%	0.00%	0.00%	0.00%	1.12%
Block 307	40	40	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Block 308	96	81	13	0	2	0
	100.00%	84.38%	13.54%	0.00%	2.08%	0.00%
Block 309	33	32	0	0	1	0
	100.00%	96.97%	0.00%	0.00%	3.03%	0.00%
Block 310	46	43	3	0	0	0
	100.00%	93.48%	6.52%	0.00%	0.00%	0.00%
Block 311	281	269	3	0	9	0
	100.00%	95.73%	1.07%	0.00%	3.20%	0.00%
Block 313	46	46	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Block 314	44	44	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Block 315	266	153	107	0	6	0
	100.00%	57.52%	40.23%	0.00%	2.26%	0.00%

Total Block Group 3	1,225 100.00%	1,066 87.02%	140 11.43%	0 0.00%	18 1.47%	1 0.08%
Total Tract 0020	1,225 100.00%	1,066 87.02%	140 11.43%	0 0.00%	18 1.47%	1 0.08%
Tract 0021						
Block Group 1						
Block 101	60 100.00%	60 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 102	38 100.00%	38 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 103	34 100.00%	34 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 104	12 100.00%	12 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 105	42 100.00%	42 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 106	40 100.00%	40 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 107	21 100.00%	21 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 108	37 100.00%	37 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 109	23 100.00%	23 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%

DB: Alabama
Plan: Redistrict

Units Assigned to a District
District 2
Total Populations, All Ages

Plan type: Congressional Districts

Census Unit	Total Pop.	Total White	Total Black	Total Am. Ind.	Total Asian/PI	Total Other
Block 110	19 100.00%	19 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 111	29 100.00%	29 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 112	19 100.00%	19 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 113	17 100.00%	17 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 114	19 100.00%	15 78.95%	4 21.05%	0 0.00%	0 0.00%	0 0.00%
Block 115	55 100.00%	52 94.55%	3 5.45%	0 0.00%	0 0.00%	0 0.00%
Block 116	54 100.00%	54 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 117	28 100.00%	28 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 118	50 100.00%	50 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%

Block 119	59 100.00%	58 98.31%	1 1.69%	0 0.00%	0 0.00%	0 0.00%
Block 120	58 100.00%	54 93.10%	4 6.90%	0 0.00%	0 0.00%	0 0.00%
Total Block Group 1	714 100.00%	702 98.32%	12 1.68%	0 0.00%	0 0.00%	0 0.00%
Block Group 2						
Block 201	7 100.00%	6 85.71%	1 14.29%	0 0.00%	0 0.00%	0 0.00%
Block 202	16 100.00%	16 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 203	44 100.00%	43 97.73%	1 2.27%	0 0.00%	0 0.00%	0 0.00%
Block 204	63 100.00%	48 76.19%	15 23.81%	0 0.00%	0 0.00%	0 0.00%
Block 205	36 100.00%	34 94.44%	2 5.56%	0 0.00%	0 0.00%	0 0.00%
Block 206	91 100.00%	58 63.74%	33 36.26%	0 0.00%	0 0.00%	0 0.00%
Block 207	70 100.00%	56 80.00%	14 20.00%	0 0.00%	0 0.00%	0 0.00%
Block 208	52 100.00%	52 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 209	68 100.00%	63 92.65%	5 7.35%	0 0.00%	0 0.00%	0 0.00%

DB: Alabama
Plan: Redistrict

Units Assigned to a District
District 2
Total Populations, All Ages

Plan type: Congressional Districts

Census Unit	Total Pop.	Total White	Total Black	Total Am. Ind.	Total Asian/PI	Total Other
Block 210	85 100.00%	72 84.71%	13 15.29%	0 0.00%	0 0.00%	0 0.00%
Block 211	73 100.00%	63 86.30%	10 13.70%	0 0.00%	0 0.00%	0 0.00%
Block 212	52 100.00%	52 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 213	35 100.00%	33 94.29%	2 5.71%	0 0.00%	0 0.00%	0 0.00%
Block 214	74 100.00%	59 79.73%	15 20.27%	0 0.00%	0 0.00%	0 0.00%
Block 215	76 100.00%	59 77.63%	17 22.37%	0 0.00%	0 0.00%	0 0.00%
Block 216	0	0	0	0	0	0
Total Block Group 2	842 100.00%	714 84.80%	128 15.20%	0 0.00%	0 0.00%	0 0.00%
Block Group 3						
Block 301	32 100.00%	20 62.50%	12 37.50%	0 0.00%	0 0.00%	0 0.00%

Block 302	64 100.00%	39 60.94%	24 37.50%	0 0.00%	1 1.56%	0 0.00%
Block 303	0	0	0	0	0	0
Block 308	51 100.00%	42 82.35%	8 15.69%	0 0.00%	1 1.96%	0 0.00%
Block 310	24 100.00%	22 91.67%	2 8.33%	0 0.00%	0 0.00%	0 0.00%
Block 311	77 100.00%	62 80.52%	15 19.48%	0 0.00%	0 0.00%	0 0.00%
Block 312	37 100.00%	29 78.38%	8 21.62%	0 0.00%	0 0.00%	0 0.00%
Block 313	22 100.00%	19 86.36%	3 13.64%	0 0.00%	0 0.00%	0 0.00%
Block 314	98 100.00%	68 69.39%	26 26.53%	0 0.00%	4 4.08%	0 0.00%
Block 315	0	0	0	0	0	0
Block 316	0	0	0	0	0	0
Block 317	43 100.00%	35 81.40%	8 18.60%	0 0.00%	0 0.00%	0 0.00%
Block 318	63 100.00%	57 90.48%	6 9.52%	0 0.00%	0 0.00%	0 0.00%

DB: Alabama
Plan: Redistrict

Units Assigned to a District
District 2
Total Populations, All Ages

Plan type: Congressional Districts

Census Unit	Total Pop.	Total White	Total Black	Total Am. Ind.	Total Asian/PI	Total Other
Block 319	51	36	15	0	0	0
	100.00%	70.59%	29.41%	0.00%	0.00%	0.00%
Total Block Group 3	562	429	127	0	6	0
	100.00%	76.33%	22.60%	0.00%	1.07%	0.00%
Block Group 4						
Block 401	102	68	34	0	0	0
	100.00%	66.67%	33.33%	0.00%	0.00%	0.00%
Block 402	64	62	2	0	0	0
	100.00%	96.88%	3.13%	0.00%	0.00%	0.00%
Block 403	56	56	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Block 404	55	52	3	0	0	0
	100.00%	94.55%	5.45%	0.00%	0.00%	0.00%
Block 405	29	29	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Block 406	30	30	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%

Block 407	72 100.00%	52 72.22%	19 26.39%	1 1.39%	0 0.00%	0 0.00%
Block 408	21 100.00%	12 57.14%	9 42.86%	0 0.00%	0 0.00%	0 0.00%
Block 409	53 100.00%	41 77.36%	12 22.64%	0 0.00%	0 0.00%	0 0.00%
Block 410	38 100.00%	38 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 411	51 100.00%	38 74.51%	13 25.49%	0 0.00%	0 0.00%	0 0.00%
Block 412	43 100.00%	36 83.72%	7 16.28%	0 0.00%	0 0.00%	0 0.00%
Block 413	36 100.00%	15 41.67%	21 58.33%	0 0.00%	0 0.00%	0 0.00%
Block 414	0	0	0	0	0	0
Block 415	26 100.00%	17 65.38%	9 34.62%	0 0.00%	0 0.00%	0 0.00%
Block 416	26 100.00%	24 92.31%	2 7.69%	0 0.00%	0 0.00%	0 0.00%
Block 417	54 100.00%	27 50.00%	27 50.00%	0 0.00%	0 0.00%	0 0.00%
Block 418	89 100.00%	74 83.15%	13 14.61%	0 0.00%	0 0.00%	2 2.25%
Block 419	66 100.00%	62 93.94%	4 6.06%	0 0.00%	0 0.00%	0 0.00%

DB: Alabama
Plan: Redistrict

Units Assigned to a District
District 2
Total Populations, All Ages

Plan type: Congressional Districts

Census Unit	Total Pop.	Total White	Total Black	Total Am. Ind.	Total Asian/PI	Total Other
Block 420	47	47	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Block 421	62	51	11	0	0	0
	100.00%	82.26%	17.74%	0.00%	0.00%	0.00%
Block 422	5	5	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Block 423	47	30	17	0	0	0
	100.00%	63.83%	36.17%	0.00%	0.00%	0.00%
Block 424	76	43	33	0	0	0
	100.00%	56.58%	43.42%	0.00%	0.00%	0.00%
Block 425	44	40	4	0	0	0
	100.00%	90.91%	9.09%	0.00%	0.00%	0.00%
Block 426	57	33	24	0	0	0
	100.00%	57.89%	42.11%	0.00%	0.00%	0.00%
Total Block Group 4	1,249	982	264	1	0	2
	100.00%	78.62%	21.14%	0.08%	0.00%	0.16%
Total Tract 0021	3,367	2,827	531	1	6	2
	100.00%	83.96%	15.77%	0.03%	0.18%	0.06%

Tract 0022						
Block Group 1						
Block 101	150	27	122	1	0	0
	100.00%	18.00%	81.33%	0.67%	0.00%	0.00%
Block 102	176	62	114	0	0	0
	100.00%	35.23%	64.77%	0.00%	0.00%	0.00%
Block 103	32	24	8	0	0	0
	100.00%	75.00%	25.00%	0.00%	0.00%	0.00%
Block 104	61	36	25	0	0	0
	100.00%	59.02%	40.98%	0.00%	0.00%	0.00%
Block 105	61	21	40	0	0	0
	100.00%	34.43%	65.57%	0.00%	0.00%	0.00%
Block 106	78	20	58	0	0	0
	100.00%	25.64%	74.36%	0.00%	0.00%	0.00%
Block 107	91	45	46	0	0	0
	100.00%	49.45%	50.55%	0.00%	0.00%	0.00%
Block 108	33	7	26	0	0	0
	100.00%	21.21%	78.79%	0.00%	0.00%	0.00%
Block 109	48	25	23	0	0	0
	100.00%	52.08%	47.92%	0.00%	0.00%	0.00%
Block 110	53	24	29	0	0	0
	100.00%	45.28%	54.72%	0.00%	0.00%	0.00%
Block 111	98	51	46	1	0	0
	100.00%	52.04%	46.94%	1.02%	0.00%	0.00%

DB: Alabama
Plan: Redistrict

Plan type: Congressional Districts

Units Assigned to a District
District 2
Total Populations, All Ages

Census Unit	Total Pop.	Total White	Total Black	Total Am. Ind.	Total Asian/PI	Total Other
Total Block Group 1	881	342	537	2	0	0
	100.00%	38.82%	60.95%	0.23%	0.00%	0.00%
Block Group 2						
Block 201	75	36	39	0	0	0
	100.00%	48.00%	52.00%	0.00%	0.00%	0.00%
Block 202	40	13	27	0	0	0
	100.00%	32.50%	67.50%	0.00%	0.00%	0.00%
Block 203	56	32	24	0	0	0
	100.00%	57.14%	42.86%	0.00%	0.00%	0.00%
Block 204	474	24	450	0	0	0
	100.00%	5.06%	94.94%	0.00%	0.00%	0.00%
Total Block Group 2	645	105	540	0	0	0
	100.00%	16.28%	83.72%	0.00%	0.00%	0.00%
Block Group 3						
Block 304	50	27	21	0	2	0
	100.00%	54.00%	42.00%	0.00%	4.00%	0.00%
Block 305	13	0	11	2	0	0
	100.00%	0.00%	84.62%	15.38%	0.00%	0.00%

Block 306	46 100.00%	9 19.57%	36 78.26%	0 0.00%	1 2.17%	0 0.00%
Block 310	59 100.00%	23 38.98%	35 59.32%	0 0.00%	1 1.69%	0 0.00%
Block 312	480 100.00%	224 46.67%	255 53.13%	0 0.00%	1 0.21%	0 0.00%
Block 313	0	0	0	0	0	0
Total Block Group 3	648 100.00%	283 43.67%	358 55.25%	2 0.31%	5 0.77%	0 0.00%
Total Tract 0022	2,174 100.00%	730 33.58%	1,435 66.01%	4 0.18%	5 0.23%	0 0.00%
Total Normandale Library	6,766 100.00%	4,623 68.33%	2,106 31.13%	5 0.07%	29 0.43%	3 0.04%
Highland Ave Elementary	2,399 100.00%	2,221 92.58%	160 6.67%	1 0.04%	10 0.42%	7 0.29%
Vaughn Road Elementary	8,051 100.00%	7,524 93.45%	417 5.18%	22 0.27%	79 0.98%	9 0.11%
Southeast YMCA	5,843 100.00%	5,660 96.87%	151 2.58%	2 0.03%	28 0.48%	2 0.03%
Aldersgate United Methodist	6,572 100.00%	5,733 87.23%	711 10.82%	14 0.21%	97 1.48%	17 0.26%
John Patterson Trade School	7,780 100.00%	3,614 46.45%	4,066 52.26%	7 0.09%	81 1.04%	12 0.15%
Peterson Elementary	4,217 100.00%	2,172 51.51%	1,888 44.77%	12 0.28%	64 1.52%	81 1.92%

DB: Alabama
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Units Assigned to a District
District 2
Total Populations, All Ages

Census Unit	Total Pop.	Total White	Total Black	Total Am. Ind.	Total Asian/PI	Total Other
Capitol Heights Community Center	7,012	5,577	1,295	28	99	13
	100.00%	79.54%	18.47%	0.40%	1.41%	0.19%
Highland Gardens Community Center	5,337	4,945	305	32	46	9
	100.00%	92.66%	5.71%	0.60%	0.86%	0.17%
Library-Coliseum Branch	4,424	4,324	58	9	33	0
	100.00%	97.74%	1.31%	0.20%	0.75%	0.00%
Lagoon Park Fire Station	7,181	6,584	445	17	107	28
	100.00%	91.69%	6.20%	0.24%	1.49%	0.39%
Flowers Elementary	6,575	6,215	331	12	13	4
	100.00%	94.52%	5.03%	0.18%	0.20%	0.06%
Goodwyn Community Center	6,085	5,844	172	7	51	11
	100.00%	96.04%	2.83%	0.12%	0.84%	0.18%
Alcazar Shrine Temple	3,262	2,535	667	2	47	11
	100.00%	77.71%	20.45%	0.06%	1.44%	0.34%
Wares Ferry Road Elementary	3,175	2,596	502	10	57	10
	100.00%	81.76%	15.81%	0.31%	1.80%	0.31%
Jim Walters Homes	1,597	1,017	558	10	2	10
	100.00%	63.68%	34.94%	0.63%	0.13%	0.63%

Seth Johnson Elementary	6,109 100.00%	4,489 73.48%	1,500 24.55%	13 0.21%	74 1.21%	33 0.54%
Peter Crump Elementary	3,899 100.00%	2,125 54.50%	1,712 43.91%	12 0.31%	44 1.13%	6 0.15%
Pinedale Community Center	8,212 100.00%	4,525 55.10%	3,625 44.14%	11 0.13%	37 0.45%	14 0.17%
Auburn University at Montgomery	6,135 100.00%	5,151 83.96%	793 12.93%	7 0.11%	169 2.75%	15 0.24%
Woodmere Information Center	4,986 100.00%	4,502 90.29%	367 7.36%	21 0.42%	83 1.66%	13 0.26%
Eastdale Baptist Church	2,540 100.00%	2,199 86.57%	249 9.80%	8 0.31%	67 2.64%	17 0.67%
George Washington Junior High	3,942 100.00%	1,339 33.97%	2,564 65.04%	19 0.48%	18 0.46%	2 0.05%
Pike Road Library	852 100.00%	510 59.86%	342 40.14%	0 0.00%	0 0.00%	0 0.00%
Chesser Community Center	1,340 100.00%	946 70.60%	388 28.96%	6 0.45%	0 0.00%	0 0.00%
Alabama National Bank-Ramer						
Tract 0058						
Block Group 2 Block 205	4 100.00%	3 75.00%	1 25.00%	0 0.00%	0 0.00%	0 0.00%
Total Block Group 2	4 100.00%	3 75.00%	1 25.00%	0 0.00%	0 0.00%	0 0.00%

DB: Alabama
Plan: Redistrict

Units Assigned to a District
District 2
Total Populations, All Ages

Plan type: Congressional Districts

Census Unit	Total Pop.	Total White	Total Black	Total Am. Ind.	Total Asian/PI	Total Other
Block Group 3						
Block 323	9	9	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Total Block Group 3	9	9	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Total Tract 0058	13	12	1	0	0	0
	100.00%	92.31%	7.69%	0.00%	0.00%	0.00%
Total Alabama National Bank-Ramer	13	12	1	0	0	0
	100.00%	92.31%	7.69%	0.00%	0.00%	0.00%
County Bridge Maintenance	1,080	647	433	0	0	0
	100.00%	59.91%	40.09%	0.00%	0.00%	0.00%
Sikes & Kohn Country Mall	896	513	377	5	1	0
	100.00%	57.25%	42.08%	0.56%	0.11%	0.00%
Total Montgomery County	133,457	104,786	26,672	305	1,361	333
	100.00%	78.52%	19.99%	0.23%	1.02%	0.25%
Pike County	27,595	17,814	9,548	146	68	19
	100.00%	64.56%	34.60%	0.53%	0.25%	0.07%
Total District 2	577,227	431,639	139,265	1,692	3,362	1,269
	100.00%	74.78%	24.13%	0.29%	0.58%	0.22%

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Plan: Redistrict

Units Assigned to a District
District 3
Total Populations, All Ages

Plan type: Congressional Districts

Census Unit	Total Pop.	Total White	Total Black	Total Am. Ind.	Total Asian/PI	Total Other
Bibb County						
Greenpond	1,980	1,907	66	3	0	4
	100.00%	96.31%	3.33%	0.15%	0.00%	0.20%
Cedar Grove	802	699	98	4	1	0
	100.00%	87.16%	12.22%	0.50%	0.12%	0.00%
Pondville	489	430	58	1	0	0
	100.00%	87.93%	11.86%	0.20%	0.00%	0.00%
Brent-South	3,064	1,589	1,467	2	0	6
	100.00%	51.86%	47.88%	0.07%	0.00%	0.20%
Centreville	2,116	1,681	433	1	1	0
	100.00%	79.44%	20.46%	0.05%	0.05%	0.00%
Randolph	784	650	134	0	0	0
	100.00%	82.91%	17.09%	0.00%	0.00%	0.00%
Riverbend	288	288	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%

DB: Alabama
Plan: Redistrict

Units Assigned to a District
District 3
Total Populations, All Ages

Plan type: Congressional Districts

Census Unit	Total Pop.	Total White	Total Black	Total Am. Ind.	Total Asian/PI	Total Other
West Blockton-West Tract 9513						
Block Group 3						
Block 306B	77	66	11	0	0	0
	100.00%	85.71%	14.29%	0.00%	0.00%	0.00%
Block 306D	93	89	3	0	1	0
	100.00%	95.70%	3.23%	0.00%	1.08%	0.00%
Block 308D	0	0	0	0	0	0
Block 327	33	7	26	0	0	0
	100.00%	21.21%	78.79%	0.00%	0.00%	0.00%
Block 328	9	9	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Block 329	1	0	1	0	0	0
	100.00%	0.00%	100.00%	0.00%	0.00%	0.00%
Block 330	0	0	0	0	0	0
Block 331	6	1	5	0	0	0
	100.00%	16.67%	83.33%	0.00%	0.00%	0.00%

Block 332	7 100.00%	0 0.00%	7 100.00%	0 0.00%	0 0.00%	0 0.00%
Block 333	2 100.00%	0 0.00%	2 100.00%	0 0.00%	0 0.00%	0 0.00%
Block 334B	158 100.00%	153 96.84%	5 3.16%	0 0.00%	0 0.00%	0 0.00%
Block 337	5 100.00%	5 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 338	39 100.00%	39 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 339	0	0	0	0	0	0
Block 340	0	0	0	0	0	0
Block 341	20 100.00%	20 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 342	9 100.00%	9 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 343	53 100.00%	53 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Water block 399D	0	0	0	0	0	0
Water block 399E	0	0	0	0	0	0
Water block 399F	0	0	0	0	0	0
Water block 399G	0	0	0	0	0	0
Water block 399H	0	0	0	0	0	0

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Units Assigned to a District
District 3
Total Populations, All Ages

Census Unit	Total Pop.	Total White	Total Black	Total Am. Ind.	Total Asian/PI	Total Other
Water block 399J	0	0	0	0	0	0
Total Block Group 3	512	451	60	0	1	0
	100.00%	88.09%	11.72%	0.00%	0.20%	0.00%
Block Group 4						
Block 408A	2	2	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Block 408B	47	47	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Block 409	35	35	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Block 410	54	54	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Block 411	0	0	0	0	0	0
Block 412	2	2	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Block 413A	0	0	0	0	0	0
Block 413B	0	0	0	0	0	0

Block 414	0	0	0	0	0	0
Block 423	0	0	0	0	0	0
Block 424	9 100.00%	9 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 429	1 100.00%	1 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 430	1 100.00%	1 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 431	0	0	0	0	0	0
Water block 499B	0	0	0	0	0	0
Water block 499R	0	0	0	0	0	0
Water block 499T	0	0	0	0	0	0
Water block 499U	0	0	0	0	0	0
Water block 499V	0	0	0	0	0	0
Total Block Group 4	151 100.00%	151 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block Group 5						
Block 520	66 100.00%	36 54.55%	30 45.45%	0 0.00%	0 0.00%	0 0.00%
Block 521	46 100.00%	40 86.96%	6 13.04%	0 0.00%	0 0.00%	0 0.00%
Block 522A	28 100.00%	28 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%

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Units Assigned to a District
District 3
Total Populations, All Ages

Plan type: Congressional Districts

Census Unit	Total Pop.	Total White	Total Black	Total Am. Ind.	Total Asian/PI	Total Other
Block 522B	102	59	43	0	0	0
	100.00%	57.84%	42.16%	0.00%	0.00%	0.00%
Block 523	0	0	0	0	0	0
Block 524	0	0	0	0	0	0
Block 525	0	0	0	0	0	0
Block 526	10	9	0	1	0	0
	100.00%	90.00%	0.00%	10.00%	0.00%	0.00%
Block 527	40	40	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Block 528	82	82	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Block 529	0	0	0	0	0	0
Block 549	14	14	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Block 550	21	21	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%

Block 551	19	19	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Water block 599J	0	0	0	0	0	0
Water block 599K	0	0	0	0	0	0
Total Block Group 5	428	348	79	1	0	0
	100.00%	81.31%	18.46%	0.23%	0.00%	0.00%
Total Tract 9513	1,091	950	139	1	1	0
	100.00%	87.08%	12.74%	0.09%	0.09%	0.00%
Total West Blockton-West	1,091	950	139	1	1	0
	100.00%	87.08%	12.74%	0.09%	0.09%	0.00%
Eoline	616	523	93	0	0	0
	100.00%	84.90%	15.10%	0.00%	0.00%	0.00%
Brent-North	1,224	1,065	152	0	7	0
	100.00%	87.01%	12.42%	0.00%	0.57%	0.00%
Harrisburg	410	207	203	0	0	0
	100.00%	50.49%	49.51%	0.00%	0.00%	0.00%
Tabernacle	193	189	4	0	0	0
	100.00%	97.93%	2.07%	0.00%	0.00%	0.00%
Total Bibb County	13,057	10,178	2,847	12	10	10
	100.00%	77.95%	21.80%	0.09%	0.08%	0.08%
Calhoun County	116,034	92,873	21,578	296	869	418
	100.00%	80.04%	18.60%	0.26%	0.75%	0.36%
Chambers County	36,876	23,575	13,221	41	13	26
	100.00%	69.93%	35.85%	0.11%	0.04%	0.07%

DB: Alabama
Plan: Redistrict

Plan type: Congressional Districts

Units Assigned to a District
District 3
Total Populations, All Ages

Census Unit	Total Pop.	Total White	Total Black	Total Am. Ind.	Total Asian/PI	Total Other
Chilton County	32,458	28,647	3,674	63	38	36
	100.00%	88.26%	11.32%	0.19%	0.12%	0.11%
Clay County	13,252	11,044	2,166	23	13	6
	100.00%	83.34%	16.34%	0.17%	0.10%	0.05%
Cleburne County	12,730	12,084	587	20	13	26
	100.00%	94.93%	4.61%	0.16%	0.10%	0.20%
Coosa County	11,063	7,242	3,782	34	4	1
	100.00%	65.46%	34.19%	0.31%	0.04%	0.01%
Lee County	87,146	64,889	20,407	132	1,584	134
	100.00%	74.46%	23.42%	0.15%	1.82%	0.15%
Macon County	24,928	3,443	21,340	24	99	22
	100.00%	13.81%	85.61%	0.10%	0.40%	0.09%
Randolph County	19,881	15,138	4,686	29	21	7
	100.00%	76.14%	23.57%	0.15%	0.11%	0.04%
Russell County	46,860	28,473	18,088	90	117	92
	100.00%	60.76%	38.60%	0.19%	0.25%	0.20%
St. Clair County	50,009	45,138	4,561	136	77	97
	100.00%	90.26%	9.12%	0.27%	0.15%	0.19%

Talladega County	74,107	50,970	22,773	174	113	77
	100.00%	68.78%	30.73%	0.23%	0.15%	0.10%
Tallapoosa County	38,826	28,493	10,212	62	37	22
	100.00%	73.39%	26.30%	0.16%	0.10%	0.06%
Total District 3	577,227	422,187	149,922	1,136	3,008	974
	100.00%	73.14%	25.97%	0.20%	0.52%	0.17%

DB: Alabama
Plan: Redistrict

Plan type: Congressional Districts

Units Assigned to a District
District 4
Total Populations, All Ages

Census Unit	Total Pop.	Total White	Total Black	Total Am. Ind.	Total Asian/PI	Total Other
Blount County	39,248	38,397	521	133	33	164
	100.00%	97.83%	1.33%	0.34%	0.08%	0.42%
Cherokee County	19,543	18,154	1,291	51	24	23
	100.00%	92.89%	6.61%	0.26%	0.12%	0.12%
Cullman County	67,613	66,744	560	134	117	58
	100.00%	98.71%	0.83%	0.20%	0.17%	0.09%
DeKalb County	54,651	52,980	1,028	481	77	85
	100.00%	96.94%	1.88%	0.88%	0.14%	0.16%
Etowah County	99,840	85,274	13,799	250	419	98
	100.00%	85.41%	13.82%	0.25%	0.42%	0.10%
Fayette County	17,962	15,717	2,190	9	19	27
	100.00%	87.50%	12.19%	0.05%	0.11%	0.15%
Franklin County	27,814	26,463	1,249	57	35	10
	100.00%	95.14%	4.49%	0.20%	0.13%	0.04%
Lamar County	15,715	13,805	1,862	24	10	14
	100.00%	87.85%	11.85%	0.15%	0.06%	0.09%

Lawrence County						
City Hall Precinct 1 Box 1						
Tract 9791						
Block Group 1						
Block 109	16 100.00%	13 81.25%	3 18.75%	0 0.00%	0 0.00%	0 0.00%
Block 110A	23 100.00%	1 4.35%	22 95.65%	0 0.00%	0 0.00%	0 0.00%
Block 110B	62 100.00%	2 3.23%	58 93.55%	2 3.23%	0 0.00%	0 0.00%
Block 111A	79 100.00%	2 2.53%	77 97.47%	0 0.00%	0 0.00%	0 0.00%
Block 111B	0	0	0	0	0	0
Block 111C	18 100.00%	6 33.33%	12 66.67%	0 0.00%	0 0.00%	0 0.00%
Block 111D	0	0	0	0	0	0
Block 112A	11 100.00%	0 0.00%	11 100.00%	0 0.00%	0 0.00%	0 0.00%
Block 112B	0	0	0	0	0	0
Block 113	50 100.00%	0 0.00%	46 92.00%	4 8.00%	0 0.00%	0 0.00%
Block 114A	107 100.00%	18 16.82%	89 83.18%	0 0.00%	0 0.00%	0 0.00%
Block 114B	0	0	0	0	0	0

DB: Alabama
Plan: Redistrict

Units Assigned to a District
District 4
Total Populations, All Ages

Plan type: Congressional Districts

Census Unit	Total Pop.	Total White	Total Black	Total Am. Ind.	Total Asian/PI	Total Other
Block 115A	21 100.00%	0 0.00%	21 100.00%	0 0.00%	0 0.00%	0 0.00%
Block 115B	26 100.00%	0 0.00%	26 100.00%	0 0.00%	0 0.00%	0 0.00%
Block 116	48 100.00%	0 0.00%	48 100.00%	0 0.00%	0 0.00%	0 0.00%
Block 117	0	0	0	0	0	0
Block 118A	0	0	0	0	0	0
Block 118B	0	0	0	0	0	0
Block 119	45 100.00%	42 93.33%	0 0.00%	2 4.44%	0 0.00%	1 2.22%
Block 120	1 100.00%	1 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 121	0	0	0	0	0	0
Block 122	0	0	0	0	0	0
Block 123	0	0	0	0	0	0
Block 124	0	0	0	0	0	0

Block 125	0	0	0	0	0	0
Block 132	0	0	0	0	0	0
Block 133	0	0	0	0	0	0
Block 134	0	0	0	0	0	0
Block 135	30	25	5	0	0	0
	100.00%	83.33%	16.67%	0.00%	0.00%	0.00%
Block 136A	47	5	38	4	0	0
	100.00%	10.64%	80.85%	8.51%	0.00%	0.00%
Block 136B	25	7	18	0	0	0
	100.00%	28.00%	72.00%	0.00%	0.00%	0.00%
Block 137	0	0	0	0	0	0
Block 138	0	0	0	0	0	0
Block 139	0	0	0	0	0	0
Block 152	0	0	0	0	0	0
Block 153	13	13	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Block 154	22	17	5	0	0	0
	100.00%	77.27%	22.73%	0.00%	0.00%	0.00%
Block 155	35	35	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Block 156A	97	6	91	0	0	0
	100.00%	6.19%	93.81%	0.00%	0.00%	0.00%
Block 156B	56	2	54	0	0	0
	100.00%	3.57%	96.43%	0.00%	0.00%	0.00%

DB: Alabama
Plan: Redistrict

Units Assigned to a District
District 4
Total Populations, All Ages

Plan type: Congressional Districts

Census Unit	Total Pop.	Total White	Total Black	Total Am. Ind.	Total Asian/PI	Total Other
Block 157	0	0	0	0	0	0
Block 158	12 100.00%	12 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 159	11 100.00%	11 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 160	16 100.00%	11 68.75%	1 6.25%	4 25.00%	0 0.00%	0 0.00%
Block 161	29 100.00%	8 27.59%	21 72.41%	0 0.00%	0 0.00%	0 0.00%
Block 162	28 100.00%	9 32.14%	19 67.86%	0 0.00%	0 0.00%	0 0.00%
Block 163	0	0	0	0	0	0
Block 164	0	0	0	0	0	0
Block 165A	8 100.00%	0 0.00%	8 100.00%	0 0.00%	0 0.00%	0 0.00%
Block 165B	0	0	0	0	0	0
Block 166	0	0	0	0	0	0

Block 167	0	0	0	0	0	0
Block 168	0	0	0	0	0	0
Block 169	3	3	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Block 170	0	0	0	0	0	0
Block 173	36	25	10	1	0	0
	100.00%	69.44%	27.78%	2.78%	0.00%	0.00%
Block 174	0	0	0	0	0	0
Block 175	0	0	0	0	0	0
Block 176	38	14	20	4	0	0
	100.00%	36.84%	52.63%	10.53%	0.00%	0.00%
Block 177	0	0	0	0	0	0
Block 178	0	0	0	0	0	0
Block 179	0	0	0	0	0	0
Block 180	0	0	0	0	0	0
Block 181	0	0	0	0	0	0
Block 182	0	0	0	0	0	0
Block 189	0	0	0	0	0	0
Total Block Group 1	**1,013**	**288**	**703**	**21**	**0**	**1**
	100.00%	**28.43%**	**69.40%**	**2.07%**	0.00%	0.10%
Block Group 2						
Block 201	18	10	2	6	0	0
	100.00%	55.56%	11.11%	33.33%	0.00%	0.00%

DB: Alabama
Plan: Redistrict

Units Assigned to a District
District 4
Total Populations, All Ages

Plan type: Congressional Districts

Census Unit	Total Pop.	Total White	Total Black	Total Am. Ind.	Total Asian/PI	Total Other
Block 202	0	0	0	0	0	0
Block 203	0	0	0	0	0	0
Block 210	36	36	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Block 211	32	29	0	3	0	0
	100.00%	90.63%	0.00%	9.38%	0.00%	0.00%
Block 212	41	41	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Block 213	0	0	0	0	0	0
Block 214	0	0	0	0	0	0
Block 215	0	0	0	0	0	0
Block 216	0	0	0	0	0	0
Block 217	0	0	0	0	0	0
Block 218	0	0	0	0	0	0
Block 219	0	0	0	0	0	0

Block 220	6 100.00%	6 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 221	19 100.00%	0 0.00%	19 100.00%	0 0.00%	0 0.00%	0 0.00%
Block 223	53 100.00%	2 3.77%	51 96.23%	0 0.00%	0 0.00%	0 0.00%
Block 224	3 100.00%	3 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 227	0	0	0	0	0	0
Block 228	0	0	0	0	0	0
Block 229	22 100.00%	0 0.00%	22 100.00%	0 0.00%	0 0.00%	0 0.00%
Block 230	26 100.00%	0 0.00%	24 92.31%	2 7.69%	0 0.00%	0 0.00%
Block 231	3 100.00%	0 0.00%	3 100.00%	0 0.00%	0 0.00%	0 0.00%
Block 232	0	0	0	0	0	0
Block 233	29 100.00%	20 68.97%	7 24.14%	2 6.90%	0 0.00%	0 0.00%
Block 236	4 100.00%	4 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 237	19 100.00%	0 0.00%	19 100.00%	0 0.00%	0 0.00%	0 0.00%

DB: Alabama
Plan: Redistrict

Plan type: Congressional Districts

Units Assigned to a District
District 4
Total Populations, All Ages

Census Unit	Total Pop.	Total White	Total Black	Total Am. Ind.	Total Asian/PI	Total Other
Block 238	30	0	30	0	0	0
	100.00%	0.00%	100.00%	0.00%	0.00%	0.00%
Block 239	0	0	0	0	0	0
Block 240	14	5	9	0	0	0
	100.00%	35.71%	64.29%	0.00%	0.00%	0.00%
Block 241	2	2	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Block 242	0	0	0	0	0	0
Block 243	0	0	0	0	0	0
Block 244	0	0	0	0	0	0
Block 245	63	61	2	0	0	0
	100.00%	96.83%	3.17%	0.00%	0.00%	0.00%
Block 246	0	0	0	0	0	0
Block 247	15	13	2	0	0	0
	100.00%	86.67%	13.33%	0.00%	0.00%	0.00%
Block 252	0	0	0	0	0	0

Block 273	5 100.00%	5 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 274	0	0	0	0	0	0
Block 275	11 100.00%	11 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 276	0	0	0	0	0	0
Block 277	0	0	0	0	0	0
Block 278	0	0	0	0	0	0
Block 279	0	0	0	0	0	0
Block 280	1 100.00%	0 0.00%	1 100.00%	0 0.00%	0 0.00%	0 0.00%
Block 281	2 100.00%	2 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 282	0	0	0	0	0	0
Block 283	12 100.00%	1 8.33%	11 91.67%	0 0.00%	0 0.00%	0 0.00%
Block 284	3 100.00%	3 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Water block 299A	0	0	0	0	0	0
Water block 299B	0	0	0	0	0	0
Water block 299C	0	0	0	0	0	0
Water block 299D	0	0	0	0	0	0

DB: Alabama
Plan: Redistrict

Units Assigned to a District
District 4
Total Populations, All Ages

Plan type: Congressional Districts

Census Unit	Total Pop.	Total White	Total Black	Total Am. Ind.	Total Asian/PI	Total Other
Water block 299E	0	0	0	0	0	0
Water block 299F	0	0	0	0	0	0
Total Block Group 2	469 100.00%	254 54.16%	202 43.07%	13 2.77%	0 0.00%	0 0.00%
Total Tract 9791	1,482 100.00%	542 36.57%	905 61.07%	34 2.29%	0 0.00%	1 0.07%
Total City Hall Precinct 1 Box 1	1,482 100.00%	542 36.57%	905 61.07%	34 2.29%	0 0.00%	1 0.07%
Fish Pond Church Pct 1 Bx 2	426 100.00%	214 50.23%	186 43.66%	26 6.10%	0 0.00%	0 0.00%
Masonic Hall Pct 6 Bx 1	978 100.00%	730 74.64%	208 21.27%	39 3.99%	1 0.10%	0 0.00%
Donald Church Pct 7 Bx 1	797 100.00%	665 83.44%	79 9.91%	52 6.52%	0 0.00%	1 0.13%
Flat Rock Community Center Pct 8 B	285 100.00%	258 90.53%	0 0.00%	27 9.47%	0 0.00%	0 0.00%

Masonic Hall Pct 8 Bx 3	352 100.00%	305 86.65%	0 0.00%	47 13.35%	0 0.00%	0 0.00%
Mt Hope High School Pct 9 Bx 1	1,033 100.00%	940 91.00%	46 4.45%	47 4.55%	0 0.00%	0 0.00%
Terrys Tire Company Pct 9 Bx 2	732 100.00%	628 85.79%	56 7.65%	47 6.42%	1 0.14%	0 0.00%
Fire Station Pct 10 Bx 1	2,019 100.00%	1,862 92.22%	7 0.35%	148 7.33%	1 0.05%	1 0.05%
Morris Chapel Church Pct 11 Bx 1	2,212 100.00%	2,026 91.59%	4 0.18%	180 8.14%	1 0.05%	1 0.05%
Lanier Store Pct 11 Bx 2	783 100.00%	697 89.02%	3 0.38%	83 10.60%	0 0.00%	0 0.00%
Masonic Hall Pct 12 Bx 1	1,255 100.00%	1,166 92.91%	0 0.00%	88 7.01%	1 0.08%	0 0.00%
Fire Station Pct 13 Bx 1	1,490 100.00%	1,321 88.66%	0 0.00%	169 11.34%	0 0.00%	0 0.00%
Old Midway Store Pct 14 Bx 1	630 100.00%	588 93.33%	0 0.00%	42 6.67%	0 0.00%	0 0.00%
Hooper Building Pct 14 Bx 2	404 100.00%	355 87.87%	27 6.68%	22 5.45%	0 0.00%	0 0.00%
Fellowship Hall Pct 15 Bx 1	1,035 100.00%	972 93.91%	7 0.68%	55 5.31%	1 0.10%	0 0.00%
Aycock Building Pct 16 Bx 1	1,123 100.00%	1,051 93.59%	1 0.09%	69 6.14%	2 0.18%	0 0.00%

DB: Alabama
Plan: Redistrict

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Units Assigned to a District
District 4
Total Populations, All Ages

Census Unit	Total Pop.	Total White	Total Black	Total Am. Ind.	Total Asian/PI	Total Other
Old Liberty Church Pct 17 Bx 1	367	355	0	12	0	0
	100.00%	96.73%	0.00%	3.27%	0.00%	0.00%
Fire Station Pct 18 Bx 1	836	731	12	93	0	0
	100.00%	87.44%	1.44%	11.12%	0.00%	0.00%
Armory Pct 19 Bx 1	1,727	1,553	113	61	0	0
	100.00%	89.92%	6.54%	3.53%	0.00%	0.00%
Fairfield Church Pct 19 Bx 2	152	128	0	21	3	0
	100.00%	84.21%	0.00%	13.82%	1.97%	0.00%
Pleasant Grove Church Pct 20 Bx 1	246	229	11	6	0	0
	100.00%	93.09%	4.47%	2.44%	0.00%	0.00%
Tab Scott Building Pct 21 Bx 1	863	578	209	76	0	0
	100.00%	66.98%	24.22%	8.81%	0.00%	0.00%
High School Pct 21 Bx 2	795	638	9	147	1	0
	100.00%	80.25%	1.13%	18.49%	0.13%	0.00%
Lindsey Hall Church Pct 22 Bx 1	94	91	0	3	0	0
	100.00%	96.81%	0.00%	3.19%	0.00%	0.00%
Piney Grove Church Pct 22 Bx 2	169	154	0	15	0	0
	100.00%	91.12%	0.00%	8.88%	0.00%	0.00%

Gillespie Store Pct 23 Bx 1	280	266	0	14	0	0
	100.00%	95.00%	0.00%	5.00%	0.00%	0.00%
Pinhook Community Center Pct 23 Bx	252	200	11	41	0	0
	100.00%	79.37%	4.37%	16.27%	0.00%	0.00%
City Hall Pct 24 Bx 1	515	460	0	54	1	0
	100.00%	89.32%	0.00%	10.49%	0.19%	0.00%
Mt Moriah Church Pct 24 Bx 2	330	290	12	28	0	0
	100.00%	87.88%	3.64%	8.48%	0.00%	0.00%
Board of Education Pct 25 Bx 1	2,409	1,996	218	193	0	2
	100.00%	82.86%	9.05%	8.01%	0.00%	0.08%
Rutherford Store Pct 25 Bx 2	118	94	0	24	0	0
	100.00%	79.66%	0.00%	20.34%	0.00%	0.00%
Freeman Tabernacle Church Pct 25 B	310	24	284	2	0	0
	100.00%	7.74%	91.61%	0.65%	0.00%	0.00%
Total Lawrence County	26,499	22,107	2,408	1,965	13	6
	100.00%	83.43%	9.09%	7.42%	0.05%	0.02%
Marion County	29,830	28,759	967	57	35	12
	100.00%	96.41%	3.24%	0.19%	0.12%	0.04%
Marshall County	70,832	69,361	1,087	231	111	42
	100.00%	97.92%	1.53%	0.33%	0.16%	0.06%
Pickens County						
Liberty	483	281	202	0	0	0
	100.00%	58.18%	41.82%	0.00%	0.00%	0.00%
Reform	2,229	1,423	805	1	0	0
	100.00%	63.84%	36.11%	0.04%	0.00%	0.00%

DB: Alabama
Plan: Redistrict

Plan type: Congressional Districts

Units Assigned to a District
District 4
Total Populations, All Ages

Census Unit	Total Pop.	Total White	Total Black	Total Am. Ind.	Total Asian/PI	Total Other
Ethelsville	742	612	130	0	0	0
	100.00%	82.48%	17.52%	0.00%	0.00%	0.00%
McShan	274	196	74	2	2	0
	100.00%	71.53%	27.01%	0.73%	0.73%	0.00%
Pine Grove	91	84	7	0	0	0
	100.00%	92.31%	7.69%	0.00%	0.00%	0.00%
Carrollton	116	104	12	0	0	0
	100.00%	89.66%	10.34%	0.00%	0.00%	0.00%
Aliceville	3,633	981	2,646	1	5	0
	100.00%	27.00%	72.83%	0.03%	0.14%	0.00%
Palmetta	502	431	67	4	0	0
	100.00%	85.86%	13.35%	0.80%	0.00%	0.00%
Fairview	1,215	1,191	23	1	0	0
	100.00%	98.02%	1.89%	0.08%	0.00%	0.00%
Reform	1,564	1,182	369	10	2	1
	100.00%	75.58%	23.59%	0.64%	0.13%	0.06%

Holly Springs						
	94	83	11	0	0	0
Gordo	100.00%	88.30%	11.70%	0.00%	0.00%	0.00%
	785	727	55	2	1	0
Carrollton	100.00%	92.61%	7.01%	0.25%	0.13%	0.00%
Tract 9879						
Block Group 1						
Block 108A						
	0	0	0	0	0	0
Block 113						
	59	59	0	0	0	0
Block 114	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
	9	9	0	0	0	0
Block 115	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
	0	0	0	0	0	0
Block 116						
	0	0	0	0	0	0
Block 117						
	18	18	0	0	0	0
Block 118	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
	0	0	0	0	0	0
Block 119						
	17	17	0	0	0	0
Block 120A	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
	43	43	0	0	0	0
Block 120B	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
	44	44	0	0	0	0
Block 121A	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
	14	9	5	0	0	0
	100.00%	64.29%	35.71%	0.00%	0.00%	0.00%

DB: Alabama
Plan: Redistrict

Plan type: Congressional Districts

Units Assigned to a District
District 4
Total Populations, All Ages

Census Unit	Total Pop.	Total White	Total Black	Total Am. Ind.	Total Asian/PI	Total Other
Block 121B	37	22	15	0	0	0
	100.00%	59.46%	40.54%	0.00%	0.00%	0.00%
Block 122	0	0	0	0	0	0
Block 123	3	3	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Block 124A	156	115	40	1	0	0
	100.00%	73.72%	25.64%	0.64%	0.00%	0.00%
Block 127	3	3	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Block 128A	47	47	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Block 129	2	2	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Block 130	25	25	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Block 131	0	0	0	0	0	0
Block 132	5	5	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%

Block 133	12 100.00%	12 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 134	17 100.00%	17 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 135	10 100.00%	10 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 136	2 100.00%	1 50.00%	1 50.00%	0 0.00%	0 0.00%	0 0.00%
Block 137	3 100.00%	3 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 138	0	0	0	0	0	0
Block 139	4 100.00%	4 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 140	1 100.00%	1 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 141	0	0	0	0	0	0
Block 142	0	0	0	0	0	0
Block 143	0	0	0	0	0	0
Block 144A	0	0	0	0	0	0
Block 145A	0	0	0	0	0	0
Block 145B	0	0	0	0	0	0
Block 147	4 100.00%	4 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%

DB: Alabama
Plan: Redistrict

Plan type: Congressional Districts

Units Assigned to a District
District 4
Total Populations, All Ages

Census Unit	Total Pop.	Total White	Total Black	Total Am. Ind.	Total Asian/PI	Total Other
Block 148	79	20	59	0	0	0
	100.00%	25.32%	74.68%	0.00%	0.00%	0.00%
Block 149	3	3	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Block 150	0	0	0	0	0	0
Water block 199B	0	0	0	0	0	0
Water block 199C	0	0	0	0	0	0
Water block 199D	0	0	0	0	0	0
Water block 199E	0	0	0	0	0	0
Water block 199F	0	0	0	0	0	0
Water block 199G	0	0	0	0	0	0
Total Block Group 1	617	496	120	1	0	0
	100.00%	80.39%	19.45%	0.16%	0.00%	0.00%
Block Group 2						
Block 205A	0	0	0	0	0	0
Block 206A	60	1	59	0	0	0
	100.00%	1.67%	98.33%	0.00%	0.00%	0.00%

Block 207	0	0	0	0	0	0
Block 208	5 100.00%	0 0.00%	5 100.00%	0 0.00%	0 0.00%	0 0.00%
Block 209	0	0	0	0	0	0
Block 210	1 100.00%	1 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 211	0	0	0	0	0	0
Block 212	0	0	0	0	0	0
Block 213	0	0	0	0	0	0
Block 214	0	0	0	0	0	0
Block 215	31 100.00%	4 12.90%	27 87.10%	0 0.00%	0 0.00%	0 0.00%
Block 216	55 100.00%	27 49.09%	27 49.09%	1 1.82%	0 0.00%	0 0.00%
Block 217	4 100.00%	4 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 218	10 100.00%	10 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 219	6 100.00%	6 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 220	0	0	0	0	0	0
Block 221	20 100.00%	11 55.00%	9 45.00%	0 0.00%	0 0.00%	0 0.00%

DB: Alabama
Plan: Redistrict

Plan type: Congressional Districts

Units Assigned to a District
District 4
Total Populations, All Ages

Census Unit	Total Pop.	Total White	Total Black	Total Am. Ind.	Total Asian/PI	Total Other
Block 222	16	16	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Block 223	0	0	0	0	0	0
Block 224	58	53	5	0	0	0
	100.00%	91.38%	8.62%	0.00%	0.00%	0.00%
Block 225A	38	19	19	0	0	0
	100.00%	50.00%	50.00%	0.00%	0.00%	0.00%
Block 226	0	0	0	0	0	0
Block 227A	8	2	6	0	0	0
	100.00%	25.00%	75.00%	0.00%	0.00%	0.00%
Block 228	6	6	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Block 229A	0	0	0	0	0	0
Block 229B	0	0	0	0	0	0
Block 230	38	30	8	0	0	0
	100.00%	78.95%	21.05%	0.00%	0.00%	0.00%

Block 231	13 100.00%	13 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 232	1 100.00%	1 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 233A	0	0	0	0	0	0
Block 233B	14 100.00%	14 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 234A	0	0	0	0	0	0
Block 234B	7 100.00%	7 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 235	0	0	0	0	0	0
Block 236	4 100.00%	0 0.00%	4 100.00%	0 0.00%	0 0.00%	0 0.00%
Block 237	4 100.00%	0 0.00%	4 100.00%	0 0.00%	0 0.00%	0 0.00%
Block 238	21 100.00%	21 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 239	1 100.00%	1 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 243	5 100.00%	5 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 244	0	0	0	0	0	0
Block 245	25 100.00%	25 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%

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DB: Alabama
Plan: Redistrict

Units Assigned to a District
District 4
Total Populations, All Ages

Plan type: Congressional Districts

Census Unit	Total Pop.	Total White	Total Black	Total Am. Ind.	Total Asian/PI	Total Other
Block 246	0	0	0	0	0	0
Block 247	0	0	0	0	0	0
Block 248A	68 100.00%	63 92.65%	5 7.35%	0 0.00%	0 0.00%	0 0.00%
Block 248B	106 100.00%	40 37.74%	66 62.26%	0 0.00%	0 0.00%	0 0.00%
Block 249	9 100.00%	9 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 250	7 100.00%	7 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 251	0	0	0	0	0	0
Block 252	0	0	0	0	0	0
Block 253	20 100.00%	13 65.00%	7 35.00%	0 0.00%	0 0.00%	0 0.00%
Block 254	0	0	0	0	0	0
Block 255	0	0	0	0	0	0

Block 256	1 100.00%	1 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 257	0	0	0	0	0	0
Water block 299A	0	0	0	0	0	0
Water block 299D	0	0	0	0	0	0
Water block 299E	0	0	0	0	0	0
Water block 299F	0	0	0	0	0	0
Total Block Group 2	662 100.00%	410 61.93%	251 37.92%	1 0.15%	0 0.00%	0 0.00%
Block Group 3						
Block 301A	64 100.00%	7 10.94%	57 89.06%	0 0.00%	0 0.00%	0 0.00%
Block 301B	0	0	0	0	0	0
Block 302A	0	0	0	0	0	0
Block 302B	0	0	0	0	0	0
Block 303	0	0	0	0	0	0
Block 304	0	0	0	0	0	0
Block 305	0	0	0	0	0	0
Block 306A	45 100.00%	45 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 307	19 100.00%	0 0.00%	19 100.00%	0 0.00%	0 0.00%	0 0.00%
Block 308	97 100.00%	3 3.09%	94 96.91%	0 0.00%	0 0.00%	0 0.00%

DB: Alabama
Plan: Redistrict

Plan type: Congressional Districts

Units Assigned to a District
District 4
Total Populations, All Ages

Census Unit	Total Pop.	Total White	Total Black	Total Am. Ind.	Total Asian/PI	Total Other
Block 309	0	0	0	0	0	0
Block 310	24	2	22	0	0	0
	100.00%	8.33%	91.67%	0.00%	0.00%	0.00%
Block 315	22	3	19	0	0	0
	100.00%	13.64%	86.36%	0.00%	0.00%	0.00%
Block 316	17	0	17	0	0	0
	100.00%	0.00%	100.00%	0.00%	0.00%	0.00%
Block 317	11	2	9	0	0	0
	100.00%	18.18%	81.82%	0.00%	0.00%	0.00%
Block 318	7	0	7	0	0	0
	100.00%	0.00%	100.00%	0.00%	0.00%	0.00%
Block 319	1	0	1	0	0	0
	100.00%	0.00%	100.00%	0.00%	0.00%	0.00%
Block 328A	201	40	158	0	3	0
	100.00%	19.90%	78.61%	0.00%	1.49%	0.00%
Block 328B	0	0	0	0	0	0
Block 329				0	0	0
	71	0	71	0	0	0
	100.00%	0.00%	100.00%	0.00%	0.00%	0.00%

Water block 399A	0	0	0	0	0	0
Water block 399B	0	0	0	0	0	0
Total Block Group 3	579	102	474	0	3	0
	100.00%	17.62%	81.87%	0.00%	0.52%	0.00%
Block Group 4						
Block 401	16	16	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Block 402	45	43	2	0	0	0
	100.00%	95.56%	4.44%	0.00%	0.00%	0.00%
Block 403	8	8	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Block 404	15	6	9	0	0	0
	100.00%	40.00%	60.00%	0.00%	0.00%	0.00%
Block 436	176	21	155	0	0	0
	100.00%	11.93%	88.07%	0.00%	0.00%	0.00%
Block 437	0	0	0	0	0	0
Block 438	0	0	0	0	0	0
Block 441	8	0	8	0	0	0
	100.00%	0.00%	100.00%	0.00%	0.00%	0.00%
Block 471	5	2	3	0	0	0
	100.00%	40.00%	60.00%	0.00%	0.00%	0.00%
Block 472	0	0	0	0	0	0
Water block 499B	0	0	0	0	0	0
Total Block Group 4	273	96	177	0	0	0
	100.00%	35.16%	64.84%	0.00%	0.00%	0.00%

DB: Alabama
Plan: Redistrict

Units Assigned to a District
District 4
Total Populations, All Ages

Plan type: Congressional Districts

Census Unit	Total Pop.	Total White	Total Black	Total Am. Ind.	Total Asian/PI	Total Other
Total Tract 9879	2,131	1,104	1,022	2	3	0
	100.00%	51.81%	47.96%	0.09%	0.14%	0.00%
Total Carrollton	2,131	1,104	1,022	2	3	0
	100.00%	51.81%	47.96%	0.09%	0.14%	0.00%
Sapps						
Tract 9879						
Block Group 3						
Block 326A	0	0	0	0	0	0
Block 326B	57	4	53	0	0	0
	100.00%	7.02%	92.98%	0.00%	0.00%	0.00%
Block 327	0	0	0	0	0	0
Water block 399L	0	0	0	0	0	0
Total Block Group 3	57	4	53	0	0	0
	100.00%	7.02%	92.98%	0.00%	0.00%	0.00%
Total Tract 9879	57	4	53	0	0	0
	100.00%	7.02%	92.98%	0.00%	0.00%	0.00%

Tract 9881						
Block Group 1						
Block 109	0	0	0	0	0	0
Total Block Group 1	0	0	0	0	0	0
Total Tract 9881	0	0	0	0	0	0
Total Sapps	57	4	53	0	0	0
	100.00%	7.02%	92.98%	0.00%	0.00%	0.00%
Holly Springs	67	67	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Gordo/Kirk 0540	2,500	1,682	814	0	4	0
	100.00%	67.28%	32.56%	0.00%	0.16%	0.00%
Speeds Mill	193	192	1	0	0	0
	100.00%	99.48%	0.52%	0.00%	0.00%	0.00%
Benevola/Aliceville 0560 (Part)	128	66	62	0	0	0
	100.00%	51.56%	48.44%	0.00%	0.00%	0.00%
Aliceville	1,153	900	243	0	10	0
	100.00%	78.06%	21.08%	0.00%	0.87%	0.00%
Total Pickens County	17,957	11,310	6,596	23	27	1
	100.00%	62.98%	36.73%	0.13%	0.15%	0.01%
Walker County	67,670	63,042	4,405	84	107	32
	100.00%	93.16%	6.51%	0.12%	0.16%	0.05%
Winston County	22,053	21,925	57	42	26	3
	100.00%	99.42%	0.26%	0.19%	0.12%	0.01%
Total District 4	577,227	534,038	38,020	3,541	1,053	575
	100.00%	92.52%	6.59%	0.61%	0.18%	0.10%

DB: Alabama
Plan: Redistrict

Plan type: Congressional Districts

Units Assigned to a District
District 5
Total Populations, All Ages

Census Unit	Total Pop.	Total White	Total Black	Total Am. Ind.	Total Asian/PI	Total Other
Colbert County	51,666	42,820	8,568	137	93	48
	100.00%	82.88%	16.58%	0.27%	0.18%	0.09%
Jackson County	47,796	44,696	1,968	1,020	90	22
	100.00%	93.51%	4.12%	2.13%	0.19%	0.05%
Lauderdale County	79,661	71,560	7,695	165	196	45
	100.00%	89.83%	9.66%	0.21%	0.25%	0.06%
Lawrence County						
City Hall Precinct 1 Box 1						
Tract 9791						
Block Group 2						
Block 204	0	0	0	0	0	0
Block 205	0	0	0	0	0	0
Block 206	5	5	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Block 207	0	0	0	0	0	0
Block 208	0	0	0	0	0	0
Block 209	0	0	0	0	0	0

Block 222	0	0	0	0	0	0
Block 225	0	0	0	0	0	0
Block 226	0	0	0	0	0	0
Total Block Group 2	5 100.00%	5 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Total Tract 9791	5 100.00%	5 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Total City Hall Precinct 1 Box 1	5 100.00%	5 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Senior Citizens Pct 2 Bx 1	1,462 100.00%	231 15.80%	1,221 83.52%	10 0.68%	0 0.00%	0 0.00%
Fire Station Pct 3 Bx 1	784 100.00%	211 26.91%	570 72.70%	1 0.13%	0 0.00%	2 0.26%
Wheeler Grove Church Pct 4 Bx 1	229 100.00%	143 62.45%	86 37.55%	0 0.00%	0 0.00%	0 0.00%
Depot Pct 5 Bx 1	1,609 100.00%	1,047 65.07%	513 31.88%	42 2.61%	6 0.37%	1 0.06%
Wolf Springs Church Pct 8 Bx 1	925 100.00%	819 88.54%	0 0.00%	106 11.46%	0 0.00%	0 0.00%
Total Lawrence County	5,014 100.00%	2,456 48.98%	2,390 47.67%	159 3.17%	6 0.12%	3 0.06%
Limestone County	54,135 100.00%	46,658 86.19%	7,127 13.17%	148 0.27%	158 0.29%	44 0.08%

DB: Alabama
Plan: Redistrict

Units Assigned to a District
District 5
Total Populations, All Ages

Plan type: Congressional Districts

Census Unit	Total Pop.	Total White	Total Black	Total Am. Ind.	Total Asian/PI	Total Other
Madison County	238,912	184,197	48,116	1,601	4,232	766
	100.00%	77.10%	20.14%	0.67%	1.77%	0.32%
Morgan County	100,043	89,122	10,081	310	370	160
	100.00%	89.08%	10.08%	0.31%	0.37%	0.16%
Total District 5	577,227	481,509	85,945	3,540	5,145	1,088
	100.00%	83.42%	14.89%	0.61%	0.89%	0.19%

DB: Alabama
Plan: Redistrict

Units Assigned to a District
District 6
Total Populations, All Ages

Plan type: Congressional Districts

Census Unit	Total Pop.	Total White	Total Black	Total Am. Ind.	Total Asian/PI	Total Other
Bibb County						
Six Mile	578	572	5	0	1	0
	100.00%	98.96%	0.87%	0.00%	0.17%	0.00%
Brierfield	848	537	311	0	0	0
	100.00%	63.33%	36.67%	0.00%	0.00%	0.00%
West Blockton-East	1,489	1,177	307	5	0	0
	100.00%	79.05%	20.62%	0.34%	0.00%	0.00%
West Blockton-West						
Tract 9513						
Block Group 3						
Block 384	8	8	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Block 385	22	22	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Total Block Group 3	30	30	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Block Group 4						
Block 407	4	4	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%

DB: Alabama
Plan: Redistrict

Units Assigned to a District
District 6
Total Populations, All Ages

Plan type: Congressional Districts

Census Unit	Total Pop.	Total White	Total Black	Total Am. Ind.	Total Asian/PI	Total Other
Total Block Group 4	4	4	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Total Tract 9513	34	34	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Total West Blockton-West	34	34	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Marvel	180	172	8	0	0	0
	100.00%	95.56%	4.44%	0.00%	0.00%	0.00%
Grey Hill	390	382	0	8	0	0
	100.00%	97.95%	0.00%	2.05%	0.00%	0.00%
Total Bibb County	3,519	2,874	631	13	1	0
	100.00%	81.67%	17.93%	0.37%	0.03%	0.00%
Jefferson County						
Burkett Center for Multi-Hn	4,261	3,880	374	2	3	2
	100.00%	91.06%	8.78%	0.05%	0.07%	0.05%
Fultondale Community Center	7,059	6,793	232	16	17	1
	100.00%	96.23%	3.29%	0.23%	0.24%	0.01%

Gardendale Civic Ctr/4306 Morris M	13,034 100.00%	12,820 98.36%	170 1.30%	28 0.21%	10 0.08%	6 0.05%
New Castle United Methodist	1,316 100.00%	1,273 96.73%	35 2.66%	5 0.38%	2 0.15%	1 0.08%
Kimberly City Hall	1,668 100.00%	1,603 96.10%	63 3.78%	2 0.12%	0 0.00%	0 0.00%
Trafford City Hall	895 100.00%	843 94.19%	49 5.47%	0 0.00%	0 0.00%	3 0.34%
Kermit Johnson Elem/Palmerdale Fir	7,966 100.00%	7,358 92.37%	587 7.37%	16 0.20%	3 0.04%	2 0.03%
Clay Community Ctr/4313 Grayson Va	8,532 100.00%	8,353 97.90%	141 1.65%	18 0.21%	17 0.20%	3 0.04%
Pinson United Methodist Church/431	4,532 100.00%	4,435 97.86%	69 1.52%	11 0.24%	16 0.35%	1 0.02%
Center Point Elementary	8,469 100.00%	7,611 89.87%	796 9.40%	9 0.11%	37 0.44%	16 0.19%
Center Point Courthouse	6,077 100.00%	5,752 94.65%	290 4.77%	7 0.12%	25 0.41%	3 0.05%
Chalkville Civic Center	6,627 100.00%	6,369 96.11%	237 3.58%	7 0.11%	11 0.17%	3 0.05%
Grayson Valley Southern	6,779 100.00%	6,583 97.11%	152 2.24%	21 0.31%	21 0.31%	2 0.03%
Trussville City Hall	9,771 100.00%	9,474 96.96%	264 2.70%	8 0.08%	20 0.20%	5 0.05%

DB: Alabama
Plan: Redistrict

Units Assigned to a District
District 6
Total Populations, All Ages

Plan type: Congressional Districts

Census Unit	Total Pop.	Total White	Total Black	Total Am. Ind.	Total Asian/PI	Total Other
Robinson School	8,547	6,313	2,169	15	40	10
	100.00%	73.86%	25.38%	0.18%	0.47%	0.12%
Don Hawkins Comm Ctr	3,237	3,052	166	5	14	0
	100.00%	94.28%	5.13%	0.15%	0.43%	0.00%
Huffman Elementary School	5,532	5,369	102	7	47	7
	100.00%	97.05%	1.84%	0.13%	0.85%	0.13%
North Roebuck School	4,102	3,878	171	20	26	7
	100.00%	94.54%	4.17%	0.49%	0.63%	0.17%
Andrew Gavin Family Life	6,398	5,874	471	14	29	10
	100.00%	91.81%	7.36%	0.22%	0.45%	0.16%
LM Smith School	6,405	5,690	690	6	16	3
	100.00%	88.84%	10.77%	0.09%	0.25%	0.05%
Fire Station #28	8,207	7,195	951	8	42	11
	100.00%	87.67%	11.59%	0.10%	0.51%	0.13%
Mountain Chapel Methodist	5,917	5,864	8	2	39	4
	100.00%	99.10%	0.14%	0.03%	0.66%	0.07%
Vestavia City Hall	3,599	3,544	19	0	35	1
	100.00%	98.47%	0.53%	0.00%	0.97%	0.03%

Mountain Brook Grammar School	1,945	1,933	3	3	6	0
	100.00%	99.38%	0.15%	0.15%	0.31%	0.00%
Locksley Fire Station	4,558	4,521	6	4	27	0
	100.00%	99.19%	0.13%	0.09%	0.59%	0.00%
Overton Road Methodist/4608 Leeds	7,713	7,101	546	17	42	7
	100.00%	92.07%	7.08%	0.22%	0.54%	0.09%
Mountain Brook Junior High	4,743	4,679	9	2	43	10
	100.00%	98.65%	0.19%	0.04%	0.91%	0.21%
Cahaba Heights Elementary	4,822	4,733	45	9	32	3
	100.00%	98.15%	0.93%	0.19%	0.66%	0.06%
Brookwood Baptist Church	4,837	4,747	28	2	58	2
	100.00%	98.14%	0.58%	0.04%	1.20%	0.04%
Highland Racquet Club	1,398	1,289	90	4	13	2
	100.00%	92.20%	6.44%	0.29%	0.93%	0.14%
Avondale School	2,320	2,283	28	3	4	2
	100.00%	98.41%	1.21%	0.13%	0.17%	0.09%
Donald Comer Elementary School	3,365	2,885	446	5	26	3
	100.00%	85.74%	13.25%	0.15%	0.77%	0.09%
Woodlawn Fire Station	3,565	2,215	1,323	2	15	10
	100.00%	62.13%	37.11%	0.06%	0.42%	0.28%
Mountain Brook City Hall	3,669	3,657	5	1	6	0
	100.00%	99.67%	0.14%	0.03%	0.16%	0.00%
McElwain Baptist Church	5,858	5,445	332	7	72	2
	100.00%	92.95%	5.67%	0.12%	1.23%	0.03%

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Units Assigned to a District
District 6
Total Populations, All Ages

Census Unit	Total Pop.	Total White	Total Black	Total Am. Ind.	Total Asian/PI	Total Other
Irondale City Hall	8,945	7,177	1,632	23	98	15
	100.00%	80.23%	18.24%	0.26%	1.10%	0.17%
East Jefferson County Fire Station	1,877	1,523	345	6	2	1
	100.00%	81.14%	18.38%	0.32%	0.11%	0.05%
Leeds Armory	4,553	3,385	1,145	8	1	14
	100.00%	74.35%	25.15%	0.18%	0.02%	0.31%
Knesseth Israel Synagogue	1,706	1,696	6	1	3	0
	100.00%	99.41%	0.35%	0.06%	0.18%	0.00%
4801 4802 4803 4807 4808 Pcts Comb	26,396	24,878	1,036	41	385	56
	100.00%	94.25%	3.92%	0.16%	1.46%	0.21%
St Marks United Methodist	6,697	6,448	105	11	115	18
	100.00%	96.28%	1.57%	0.16%	1.72%	0.27%
Vestavia Plaza Mall-Sears	1,195	1,172	8	1	14	0
	100.00%	98.08%	0.67%	0.08%	1.17%	0.00%
Vestavia High School	6,317	5,997	191	3	107	19
	100.00%	94.93%	3.02%	0.05%	1.69%	0.30%
Pleasant Grove Community	8,579	8,377	177	15	6	4
	100.00%	97.65%	2.06%	0.17%	0.07%	0.05%

Hueytown Alternative School	6,746 100.00%	4,299 63.73%	2,423 35.92%	8 0.12%	16 0.24%	0 0.00%
Sylvan Springs Community	1,695 100.00%	1,682 99.23%	7 0.41%	5 0.29%	0 0.00%	1 0.06%
Maytown City Hall	504 100.00%	436 86.51%	65 12.90%	3 0.60%	0 0.00%	0 0.00%
Booker Heights Community	197 100.00%	12 6.09%	185 93.91%	0 0.00%	0 0.00%	0 0.00%
Eastern Valley Community						
Tract 0142.03						
Block Group 1						
Block 124	107 100.00%	107 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 125	18 100.00%	18 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 128	51 100.00%	50 98.04%	0 0.00%	0 0.00%	1 1.96%	0 0.00%
Block 131	38 100.00%	38 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 148	0	0	0	0	0	0
Total Block Group 1	214 100.00%	213 99.53%	0 0.00%	0 0.00%	1 0.47%	0 0.00%
Block Group 2						
Block 215	0	0	0	0	0	0
Block 216	31 100.00%	31 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%

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Units Assigned to a District
District 6
Total Populations, All Ages

Plan type: Congressional Districts

Census Unit	Total Pop.	Total White	Total Black	Total Am. Ind.	Total Asian/PI	Total Other
Block 217	98 100.00%	94 95.92%	0 0.00%	1 1.02%	1 1.02%	2 2.04%
Block 219	12 100.00%	12 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 220	82 100.00%	82 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 221	21 100.00%	21 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Total Block Group 2	244 100.00%	240 98.36%	0 0.00%	1 0.41%	1 0.41%	2 0.82%
Block Group 3	0	0	0	0	0	0
Block 304	0	0	0	0	0	0
Total Block Group 3	458 100.00%	453 98.91%	0 0.00%	1 0.22%	2 0.44%	2 0.44%
Total Tract 0142.03	458 100.00%	453 98.91%	0 0.00%	1 0.22%	2 0.44%	2 0.44%
Total Eastern Valley Community	1,142 100.00%	873 76.44%	266 23.29%	3 0.26%	0 0.00%	0 0.00%
Wa Bell High School						

Hueytown City Hall	7,013 100.00%	6,887 98.20%	111 1.58%	3 0.04%	10 0.14%	2 0.03%
Virginia Volunteer Fire Department	2,329 100.00%	2,154 92.49%	171 7.34%	1 0.04%	3 0.13%	0 0.00%
Johns City Hall	1,600 100.00%	1,254 78.38%	329 20.56%	12 0.75%	0 0.00%	5 0.31%
Oak Grove High School	1,921 100.00%	1,917 99.79%	0 0.00%	2 0.10%	2 0.10%	0 0.00%
Concord Fire Department	4,680 100.00%	4,640 99.15%	17 0.36%	11 0.24%	9 0.19%	3 0.06%
Alliance Elementary School	3,710 100.00%	2,779 74.91%	918 24.74%	7 0.19%	1 0.03%	5 0.13%
Masonic Lodge West Jefferson	1,389 100.00%	1,368 98.49%	19 1.37%	1 0.07%	0 0.00%	1 0.07%
Adamsville Elementary	4,474 100.00%	3,895 87.06%	567 12.67%	9 0.20%	1 0.02%	2 0.04%
Mulga City Hall	1,692 100.00%	1,276 75.41%	415 24.53%	1 0.06%	0 0.00%	0 0.00%
Minor Fire Station	3,395 100.00%	2,308 67.98%	1,076 31.69%	8 0.24%	3 0.09%	0 0.00%
Sandusky First Baptist Church	1,873 100.00%	1,730 92.37%	140 7.47%	1 0.05%	2 0.11%	0 0.00%
Westwood Crumley Chapel Church	4,595 100.00%	4,192 91.23%	380 8.27%	7 0.15%	11 0.24%	5 0.11%
Adamsville City Hall	3,448 100.00%	2,790 80.92%	643 18.65%	13 0.38%	2 0.06%	0 0.00%

DB: Alabama
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Units Assigned to a District
District 6
Total Populations, All Ages

Census Unit	Total Pop.	Total White	Total Black	Total Am. Ind.	Total Asian/PI	Total Other
Maurice West Community Center	3,203 100.00%	2,497 77.96%	698 21.79%	2 0.06%	5 0.16%	1 0.03%
Brookside City Hall	2,963 100.00%	2,790 94.16%	169 5.70%	3 0.10%	1 0.03%	0 0.00%
Mt Olive Elementary School	3,276 100.00%	3,262 99.57%	3 0.09%	8 0.24%	2 0.06%	1 0.03%
Warrior City Hall	3,312 100.00%	2,708 81.76%	596 18.00%	3 0.09%	4 0.12%	1 0.03%
Corner School	2,803 100.00%	2,790 99.54%	1 0.04%	3 0.11%	3 0.11%	6 0.21%
Bagley Junior High School	4,191 100.00%	4,179 99.71%	1 0.02%	10 0.24%	0 0.00%	1 0.02%
Northwestern	852 100.00%	842 98.83%	9 1.06%	0 0.00%	1 0.12%	0 0.00%
Ramsay High School	3,844 100.00%	2,194 57.08%	1,168 30.39%	12 0.31%	455 11.84%	15 0.39%
Glen Iris School	7,412 100.00%	5,479 73.92%	1,599 21.57%	12 0.16%	297 4.01%	25 0.34%

Fraternal Order of Police	3,537 100.00%	2,803 79.25%	655 18.52%	12 0.34%	57 1.61%	10 0.28%
Highland Manor Apartments	158 100.00%	153 96.84%	5 3.16%	0 0.00%	0 0.00%	0 0.00%
Fire Station 22	4,852 100.00%	4,201 86.58%	616 12.70%	6 0.12%	25 0.52%	4 0.08%
Parke Memorial Library	758 100.00%	679 89.58%	68 8.97%	4 0.53%	5 0.66%	2 0.26%
5506 5507 5508 Pcts Combined	10,443 100.00%	9,856 94.38%	530 5.08%	14 0.13%	37 0.35%	6 0.06%
Homewood Recreation Center	4,700 100.00%	3,615 76.91%	957 20.36%	13 0.28%	102 2.17%	13 0.28%
Carr Avenue Fire Station	4,898 100.00%	4,278 87.34%	519 10.60%	10 0.20%	76 1.55%	15 0.31%
Edgewood School	5,256 100.00%	4,613 87.77%	529 10.06%	14 0.27%	91 1.73%	9 0.17%
Homewood Library	5,536 100.00%	5,363 96.88%	99 1.79%	9 0.16%	46 0.83%	19 0.34%
Shades Cahaba School	3,446 100.00%	3,370 97.79%	42 1.22%	6 0.17%	28 0.81%	0 0.00%
Morgan Road Fire Station	3,557 100.00%	3,511 98.71%	41 1.15%	2 0.06%	2 0.06%	1 0.03%
Highland Avenue Fire Station	1,346 100.00%	1,284 95.39%	48 3.57%	2 0.15%	12 0.89%	0 0.00%
Hillview Community Center	2,553 100.00%	2,258 88.44%	288 11.28%	1 0.04%	6 0.24%	0 0.00%

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Units Assigned to a District
District 6
Total Populations, All Ages

Census Unit	Total Pop.	Total White	Total Black	Total Am. Ind.	Total Asian/PI	Total Other
Hillview Elementary School	3,265	1,950	1,301	0	14	0
	100.00%	59.72%	39.85%	0.00%	0.43%	0.00%
Total Jefferson County	393,010	355,687	33,386	637	2,876	424
	100.00%	90.50%	8.49%	0.16%	0.73%	0.11%
Shelby County	99,358	90,715	7,718	264	575	86
	100.00%	91.30%	7.77%	0.27%	0.58%	0.09%
Tuscaloosa County						
Regional Education Center						
Tract 0104.04						
Block Group 1						
Block 101	4	4	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Total Block Group 1	4	4	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Total Tract 0104.04	4	4	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Total Regional Education Center	4	4	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
County Courthouse	5,569	4,630	594	10	315	20
	100.00%	83.14%	10.67%	0.18%	5.66%	0.36%

Clara Verna Towers	6,211 100.00%	4,678 75.32%	1,360 21.90%	11 0.18%	141 2.27%	21 0.34%
Coliseum	4,262 100.00%	3,402 79.82%	722 16.94%	6 0.14%	123 2.89%	9 0.21%
Forest Lake Methodist Church	3,109 100.00%	2,756 88.65%	312 10.04%	6 0.19%	34 1.09%	1 0.03%
Tuscaloosa Academy/Wood Village Co	7,720 100.00%	6,915 89.57%	686 8.89%	1 0.01%	110 1.42%	8 0.10%
Jaycee Park	6,337 100.00%	4,475 70.62%	1,789 28.23%	11 0.17%	36 0.57%	26 0.41%
Holt Armory	4,878 100.00%	3,045 62.42%	1,818 37.27%	6 0.12%	5 0.10%	4 0.08%
#6 Fire Station	4,879 100.00%	4,371 89.59%	474 9.72%	5 0.10%	21 0.43%	8 0.16%
Peterson Church/Brookwood City Hal	3,691 100.00%	3,648 98.84%	40 1.08%	2 0.05%	0 0.00%	1 0.03%
Westwood School Buhl School Masoni	3,266 100.00%	2,887 88.40%	337 10.32%	7 0.21%	0 0.00%	35 1.07%
Myrtlewood School Community Center	1,818 100.00%	1,194 65.68%	611 33.61%	9 0.50%	0 0.00%	4 0.22%
Brownville Community Center/McConn	590 100.00%	586 99.32%	4 0.68%	0 0.00%	0 0.00%	0 0.00%
Old Samantha School Swindle	772 100.00%	653 84.59%	117 15.16%	2 0.26%	0 0.00%	0 0.00%
Macedonia Methodist Church	3,825 100.00%	3,650 95.42%	157 4.10%	7 0.18%	9 0.24%	2 0.05%

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Units Assigned to a District
District 6
Total Populations, All Ages

Census Unit	Total Pop.	Total White	Total Black	Total Am. Ind.	Total Asian/PI	Total Other
Voting Building/Old Hope School Si	1,444	1,424	11	0	8	1
	100.00%	98.61%	0.76%	0.00%	0.55%	0.07%
Gorgas-Samantha Comm Center/Voting	1,521	1,454	50	17	0	0
	100.00%	95.60%	3.29%	1.12%	0.00%	0.00%
Frank Fields Store/Dan Tierce/File	1,511	1,485	20	4	0	2
	100.00%	98.28%	1.32%	0.26%	0.00%	0.13%
Echola/Elrod/Bama Jones Store	1,032	990	39	1	2	0
	100.00%	95.93%	3.78%	0.10%	0.19%	0.00%
Mt Olive Fire Station	2,314	2,294	0	13	6	1
	100.00%	99.14%	0.00%	0.56%	0.26%	0.04%
Chapel Hill Baptist Church	1,973	1,874	93	3	2	1
	100.00%	94.98%	4.71%	0.15%	0.10%	0.05%
Northport Community Center	4,949	3,813	1,119	2	6	9
	100.00%	77.05%	22.61%	0.04%	0.12%	0.18%
Northport Armory/City Hall	9,664	8,273	1,221	17	138	15
	100.00%	85.61%	12.63%	0.18%	1.43%	0.16%
Total Tuscaloosa County	81,339	68,501	11,574	140	956	168
	100.00%	84.22%	14.23%	0.17%	1.18%	0.21%
Total District 6	577,226	517,777	53,309	1,054	4,408	678
	100.00%	89.70%	9.24%	0.18%	0.76%	0.12%

DB: Alabama
Plan: Redistrict

Plan type: Congressional Districts

Units Assigned to a District
District 7
Total Populations, All Ages

Census Unit	Total Pop.	Total White	Total Black	Total Am. Ind.	Total Asian/PI	Total Other
Choctaw County	16,018	8,913	7,077	10	12	6
	100.00%	55.64%	44.18%	0.06%	0.07%	0.04%
Clarke County						
Gosport	359	45	312	0	2	0
	100.00%	12.53%	86.91%	0.00%	0.56%	0.00%
Salitpa						
Tract 9579						
Block Group 1						
Block 120	10	10	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Total Block Group 1	10	10	0	0	0	0
	100.00%	100.00%	0.00%	0 00%	0.00%	0.00%
Total Tract 9579	10	10	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Total Salitpa	10	10	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%

DB: Alabama
Plan: Redistrict

Units Assigned to a District
District 7
Total Populations, All Ages

Plan type: Congressional Districts

Census Unit	Total Pop.	Total White	Total Black	Total Am. Ind.	Total Asian/PI	Total Other
Winn/Zimco						
Tract 9579						
Block Group 1						
Block 129	4 100.00%	4 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Total Block Group 1	4 100.00%	4 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Total Tract 9579	4 100.00%	4 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Total Winn/Zimco	4 100.00%	4 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Andersons	600 100.00%	224 37.33%	375 62.50%	0 0.00%	1 0.17%	0 0.00%
Scyrene	1,421 100.00%	888 62.49%	531 37.37%	1 0.07%	1 0.07%	0 0.00%
Chance	213 100.00%	36 16.90%	177 83.10%	0 0.00%	0 0.00%	0 0.00%

Morvin/Campbell	510 100.00%	175 34.31%	335 65.69%	0 0.00%	0 0.00%	0 0.00%
Total Clarke County	3,117 100.00%	1,382 44.34%	1,730 55.50%	1 0.03%	4 0.13%	0 0.00%
Dallas County	48,130 100.00%	20,121 41.81%	27,825 57.81%	41 0.09%	129 0.27%	14 0.03%
Greene County	10,153 100.00%	1,966 19.36%	8,181 80.58%	3 0.03%	0 0.00%	3 0.03%
Hale County	15,498 100.00%	6,255 40.36%	9,214 59.45%	20 0.13%	9 0.06%	0 0.00%
Jefferson County						
Barrett School	3,780 100.00%	1,461 38.65%	2,290 60.58%	5 0.13%	21 0.56%	3 0.08%
Charles Brown School	4,836 100.00%	1,824 37.72%	2,996 61.95%	7 0.14%	2 0.04%	7 0.14%
Ensley Community House	4,807 100.00%	1,322 27.50%	3,470 72.19%	6 0.12%	1 0.02%	8 0.17%
Wylam Fire Station	3,211 100.00%	1,658 51.64%	1,552 48.33%	0 0.00%	1 0.03%	0 0.00%
Fairfield High Civic Club	2,828 100.00%	2,422 85.64%	385 13.61%	5 0.18%	16 0.57%	0 0.00%
Glen Oaks School	5,129 100.00%	1,803 35.15%	3,312 64.57%	2 0.04%	7 0.14%	5 0.10%
Bessemer State Technical	3,053 100.00%	2,518 82.48%	526 17.23%	0 0.00%	8 0.26%	1 0.03%

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Units Assigned to a District
District 7
Total Populations, All Ages

Census Unit	Total Pop.	Total White	Total Black	Total Am. Ind.	Total Asian/PI	Total Other
Eastern Valley Community						
Tract 0141.04						
Block Group 1						
Block 128	2 100.00%	2 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 129	4 100.00%	4 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Total Block Group 1	6 100.00%	6 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Total Tract 0141.04	6 100.00%	6 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Tract 0141.05						
Block Group 2						
Block 204B	43 100.00%	43 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 204E	0	0	0	0	0	0

Block 213A	15 100.00%	15 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 213B	17 100.00%	17 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 213C	0	0	0	0	0	0
Block 213D	0	0	0	0	0	0
Block 213E	0	0	0	0	0	0
Total Block Group 2	75 100.00%	75 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block Group 9						
Block 901A	0	0	0	0	0	0
Block 901B	53 100.00%	50 94.34%	3 5.66%	0 0.00%	0 0.00%	0 0.00%
Block 902A	14 100.00%	13 92.86%	1 7.14%	0 0.00%	0 0.00%	0 0.00%
Block 902B	0	0	0	0	0	0
Block 902C	67 100.00%	67 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 903A	0	0	0	0	0	0
Block 903B	62 100.00%	61 98.39%	1 1.61%	0 0.00%	0 0.00%	0 0.00%
Block 903C	0	0	0	0	0	0
Block 903D	24 100.00%	24 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%

DB: Alabama
Plan: Redistrict

Units Assigned to a District
District 7
Total Populations, All Ages

Plan type: Congressional Districts

Census Unit	Total Pop	Total White	Total Black	Total Am. Ind.	Total Asian/PI	Total Other
Block 903E	11 100.00%	11 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 904	13 100.00%	13 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 905	3 100.00%	3 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 906	16 100.00%	16 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 907A	20 100.00%	20 100.00%	0 0.00%	0 00.00%	0 0.00%	0 0.00%
Block 907B	0	0	0	0	0	0
Block 907C	0	0	0	0	0	0
Block 908	12 100.00%	12 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Total Block Group 9	295 100.00%	290 98.31%	5 1.69%	0 0.00%	0 0.00%	0 0.00%
Total Tract 0141.05	370 100.00%	365 98.65%	5 1.35%	0 0.00%	0 0.00%	0 0.00%

Tract 0142.03						
Block Group 1						
Block 101	0	0	0	0	0	0
Block 102	0	0	0	0	0	0
Block 103	37	37	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Block 104	33	33	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Block 105	7	7	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Block 106	16	16	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Block 107	0	0	0	0	0	0
Block 108	16	16	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Block 109	42	42	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Block 110	44	43	0	1	0	0
	100.00%	97.73%	0.00%	2.27%	0.00%	0.00%
Block 111	4	4	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Block 112	25	24	0	0	1	0
	100.00%	96.00%	0.00%	0.00%	4.00%	0.00%
Block 113	20	20	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%

DB: Alabama
Plan: Redistrict

Plan type: Congressional Districts

Units Assigned to a District
District 7
Total Populations, All Ages

Census Unit	Total Pop.	Total White	Total Black	Total Am. Ind.	Total Asian/PI	Total Other
Block 114	80 100.00%	80 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 115	15 100.00%	15 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 116	15 100.00%	15 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 117	44 100.00%	44 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 118	21 100.00%	21 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 119	24 100.00%	24 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 120	59 100.00%	59 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 121	37 100.00%	37 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 122	13 100.00%	12 92.31%	0 0.00%	0 0.00%	0 0.00%	1 7.69%

Block 123						
Block 126	54 100.00%	47 87.04%	6 11.11%	1 1.85%	0 0.00%	0 0.00%
Block 127	7 100.00%	7 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 129	85 100.00%	10 11.76%	75 88.24%	0 0.00%	0 0.00%	0 0.00%
Block 130	84 100.00%	84 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 132	82 100.00%	25 30.49%	57 69.51%	0 0.00%	0 0.00%	0 0.00%
Block 133	25 100.00%	25 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 134	3 100.00%	3 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 135	11 100.00%	11 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 136	550 100.00%	529 96.18%	20 3.64%	0 0.00%	1 0.18%	0 0.00%
Block 137	36 100.00%	35 97.22%	0 0.00%	0 0.00%	1 2.78%	0 0.00%
Block 138A	127 100.00%	125 98.43%	2 1.57%	0 0.00%	0 0.00%	0 0.00%
Block 138B	12 100.00%	12 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
	0	0	0	0	0	0

DB: Alabama
Plan: Redistrict

Plan type: Congressional Districts

Units Assigned to a District
District 7
Total Populations, All Ages

Census Unit	Total Pop.	Total White	Total Black	Total Am. Ind.	Total Asian/PI	Total Other
Block 138C	13 100.00%	13 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 138D	0	0	0	0	0	0
Block 139A	0	0	0	0	0	0
Block 139B	0	0	0	0	0	0
Block 140	0	0	0	0	0	0
Block 141	20 100.00%	20 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 142	0	0	0	0	0	0
Block 143	69 100.00%	68 98.55%	0 0.00%	0 0.00%	1 1.45%	0 0.00%
Block 144	9 100.00%	9 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 145	20 100.00%	16 80.00%	4 20.00%	0 0.00%	0 0.00%	0 0.00%
Block 146	25 100.00%	8 32.00%	17 68.00%	0 0.00%	0 0.00%	0 0.00%

Block 147						
Block 149	0	0	0	0	0	0
	4	4	0	0	0	0
Block 150	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Block 151	0	0	0	0	0	0
Block 152	0	0	0	0	0	0
	36	11	25	0	0	0
Water block 199	100.00%	30.56%	69.44%	0.00%	0.00%	0.00%
Water block 199	0	0	0	0	0	0
Water block 199	0	0	0	0	0	0
Water block 199	0	0	0	0	0	0
Water block 199	0	0	0	0	0	0
Water block 199	0	0	0	0	0	0
Total Block Group 1	1,824	1,611	206	2	4	1
	100.00%	88.32%	11.29%	0.11%	0.22%	0.05%
Block Group 2						
Block 218	182	182	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Block 222	39	36	0	0	0	3
	100.00%	92.31%	0.00%	0.00%	0.00%	7.69%
Total Block Group 2	221	218	0	0	0	3
	100.00%	98.64%	0.00%	0.00%	0.00%	1.36%

DB: Alabama
Plan: Redistrict

Units Assigned to a District
District 7
Total Populations, All Ages

Plan type: Congressional Districts

Census Unit	Total Pop.	Total White	Total Black	Total Am. Ind.	Total Asian/PI	Total Other
Block Group 3						
Block 301	90	82	8	0	0	0
	100.00%	91.11%	8.89%	0.00%	0.00%	0.00%
Block 302	87	35	52	0	0	0
	100.00%	40.23%	59.77%	0.00%	0.00%	0.00%
Block 303	245	244	0	0	1	0
	100.00%	99.59%	0.00%	0.00%	0.41%	0.00%
Block 305	45	45	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Block 306	0	0	0	0	0	0
Block 307	13	9	4	0	0	0
	100.00%	69.23%	30.77%	0.00%	0.00%	0.00%
Block 308	11	11	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Block 309	26	26	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Block 310	0	0	0	0	0	0

Block 311	0	0	0	0	0	0
Block 312	0	0	0	0	0	0
Block 313	0	0	0	0	0	0
Block 314	0	0	0	0	0	0
Block 315	5 100.00%	5 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 316	49 100.00%	49 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 317	115 100.00%	115 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 318	53 100.00%	53 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 319	14 100.00%	14 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 320	0	0	0	0	0	0
Block 321	266 100.00%	265 99.62%	1 0.38%	0 0.00%	0 0.00%	0 0.00%
Block 322	0	0	0	0	0	0
Block 323	3 100.00%	3 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 324	4 100.00%	4 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 325	55 100.00%	55 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%

DB: Alabama
Plan: Redistrict

Units Assigned to a District
District 7
Total Populations, All Ages

Plan type: Congressional Districts

Census Unit	Total Pop.	Total White	Total Black	Total Am. Ind.	Total Asian/PI	Total Other
Block 326	38 100.00%	38 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 327	12 100.00%	12 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 328	0	0	0	0	0	0
Block 329	39 100.00%	39 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 330	10 100.00%	10 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 331	0	0	0	0	0	0
Block 332	0	0	0	0	0	0
Block 333	0	0	0	0	0	0
Water block 399A	0	0	0	0	0	0
Water block 399B	0	0	0	0	0	0
Water block 399C	0	0	0	0	0	0
Water block 399D	0	0	0	0	0	0

Water block 399E	0	0	0	0	0	0
Water block 399F	0	0	0	0	0	0
Water block 399G	0	0	0	0	0	0
Water block 399H	0	0	0	0	0	0
Water block 399J	0	0	0	0	0	0
Water block 399K	0	0	0	0	0	0
Water block 399L	0	0	0	0	0	0
Water block 399M	0	0	0	0	0	0
Water block 399N	0	0	0	0	0	0
Total Block Group 3	1,180	1,114	65	0	1	0
	100.00%	94.41%	5.51%	0.00%	0.08%	0.00%
Block Group 9						
Block 901A	0	0	0	0	0	0
Block 901B	191	191	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Block 902	12	12	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Block 903	17	17	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Block 904	7	7	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Block 905	11	11	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%

DB: Alabama
Plan: Redistrict

Plan type: Congressional Districts

Units Assigned to a District
District 7
Total Populations, All Ages

Census Unit	Total Pop.	Total White	Total Black	Total Am. Ind.	Total Asian/PI	Total Other
Block 906	6 100.00%	6 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 907	87 100.00%	87 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 908	0	0	0	0	0	0
Block 909A	0	0	0	0	0	0
Block 909B	0	0	0	0	0	0
Block 910	35 100.00%	35 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 911	3 100.00%	3 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 912A	0	0	0	0	0	0
Block 912B	15 100.00%	15 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 913	16 100.00%	16 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 914A	0	0	0	0	0	0

Block 914B						
Block 914C	0	0	0	0	0	0
Block 915A	0	0	0	0	0	0
Block 915B	0	0	0	0	0	0
Total Block Group 9	1 100.00%	1 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Total Tract 0142.03	401 100.00%	401 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Tract 0143.01	3,626 100.00%	3,344 92.22%	271 7.47%	2 0.06%	5 0.14%	4 0.11%
Block Group 4						
Block 401A						
Block 401B	0	0	0	0	0	0
Block 402	0	0	0	0	0	0
Block 403A	134 100.00%	69 51.49%	65 48.51%	0 0.00%	0 0.00%	0 0.00%
Block 403B	0	0	0	0	0	0
Block 404	61 100.00%	58 95.08%	2 3.28%	0 0.00%	1 1.64%	0 0.00%
Block 405	13 100.00%	13 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 406	20 100.00%	20 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
	13 100.00%	13 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%

DB: Alabama
Plan: Redistrict

Units Assigned to a District
District 7
Total Populations, All Ages

Plan type: Congressional Districts

Census Unit	Total Pop.	Total White	Total Black	Total Am. Ind.	Total Asian/PI	Total Other
Block 407	15	15	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Block 408	26	26	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Block 409	38	38	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Block 410	60	58	0	1	1	0
	100.00%	96.67%	0.00%	1.67%	1.67%	0.00%
Block 411	42	42	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Block 412A	10	10	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Block 412B	22	22	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Block 413	10	10	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Block 414	25	25	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%

Block 415	63 100.00%	63 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 416A	0	0	0	0	0	0
Block 416B	140 100.00%	140 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 417	86 100.00%	86 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 418	11 100.00%	11 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Total Block Group 4	789 100.00%	719 91.13%	67 8.49%	1 0.13%	2 0.25%	0 0.00%
Total Tract 0143.01	789 100.00%	719 91.13%	67 8.49%	1 0.13%	2 0.25%	0 0.00%
Total Eastern Valley Community	4,791 100.00%	4,434 92.55%	343 7.16%	3 0.06%	7 0.15%	4 0.08%
Flint Hill Fire Station	5,238 100.00%	3,111 59.39%	2,103 40.15%	8 0.15%	12 0.23%	4 0.08%
McDonald Chapel Community	285 100.00%	39 13.68%	245 85.96%	1 0.35%	0 0.00%	0 0.00%
Cooper Green Recreation Center	4,933 100.00%	37 0.75%	4,893 99.19%	1 0.02%	2 0.04%	0 0.00%
Semmie Lavender Community Center	2,703 100.00%	161 5.96%	2,540 93.97%	0 0.00%	1 0.04%	1 0.04%
Central Park Community Center	9,152 100.00%	3,699 40.42%	5,418 59.20%	11 0.12%	18 0.20%	6 0.07%

DB: Alabama
Plan: Redistrict

Plan type: Congressional Districts

Units Assigned to a District
District 7
Total Populations, All Ages

Census Unit	Total Pop.	Total White	Total Black	Total Am. Ind.	Total Asian/PI	Total Other
Lee School	2,869	230	2,633	4	2	0
	100.00%	8.02%	91.77%	0.14%	0.07%	0.00%
Harrison Park Community Center	6,344	191	6,144	2	5	2
	100.00%	3.01%	96.85%	0.03%	0.08%	0.03%
Hemphill School Recreation	6,250	684	5,545	15	1	5
	100.00%	10.94%	88.72%	0.24%	0.02%	0.08%
Wenonah Elementary School	2,323	314	2,005	3	1	0
	100.00%	13.52%	86.31%	0.13%	0.04%	0.00%
Jackson School	2,452	22	2,421	9	0	0
	100.00%	0.90%	98.74%	0.37%	0.00%	0.00%
Hill School	6,233	505	5,710	14	1	3
	100.00%	8.10%	91.61%	0.22%	0.02%	0.05%
Graymont Elementary School	5,260	147	5,107	3	1	2
	100.00%	2.79%	97.09%	0.06%	0.02%	0.04%
Center Street School	4,205	74	4,127	3	0	1
	100.00%	1.76%	98.15%	0.07%	0.00%	0.02%
Washington School	4,832	20	4,807	3	0	2
	100.00%	0.41%	99.48%	0.06%	0.00%	0.04%

Elyton School	2,397	227	2,165	1	3	1
	100.00%	9.47%	90.32%	0.04%	0.13%	0.04%
Forty-Fifth Street Baptist Church	1,591	38	1,550	3	0	0
	100.00%	2.39%	97.42%	0.19%	0.00%	0.00%
Norwood Armory	3,771	146	3,619	4	2	0
	100.00%	3.87%	95.97%	0.11%	0.05%	0.00%
McArthur School	3,557	516	3,034	3	3	1
	100.00%	14.51%	85.30%	0.08%	0.08%	0.03%
City Auditorium	4,174	19	4,151	2	1	1
	100.00%	0.46%	99.45%	0.05%	0.02%	0.02%
Wilkerson School/5411 Carrie Tuggl	3,271	38	3,217	2	7	7
	100.00%	1.16%	98.35%	0.06%	0.21%	0.21%
Avondale Library	1,828	914	893	5	10	6
	100.00%	50.00%	48.85%	0.27%	0.55%	0.33%
Southtown Housing Community Center	1,280	80	1,193	1	2	4
	100.00%	6.25%	93.20%	0.08%	0.16%	0.31%
Bethel Baptist Church	715	3	706	0	6	0
	100.00%	0.42%	98.74%	0.00%	0.84%	0.00%
Southside Homes Community	5,819	93	5,718	5	2	1
	100.00%	1.60%	98.26%	0.09%	0.03%	0.02%
Thompson Manor Community	1,961	1,357	595	5	2	2
	100.00%	69.20%	30.34%	0.25%	0.10%	0.10%
St Francis School	6,090	702	5,376	6	0	6
	100.00%	11.53%	88.28%	0.10%	0.00%	0.10%
Bessemer City Hall	2,402	1,578	815	6	0	3
	100.00%	65.70%	33.93%	0.25%	0.00%	0.12%

DB: Alabama
Plan: Redistrict

Plan type: Congressional Districts

Units Assigned to a District
District 7
Total Populations, All Ages

Census Unit	Total Pop.	Total White	Total Black	Total Am. Ind.	Total Asian/PI	Total Other
Bessemer Fire Station	1,966	591	1,367	3	5	0
	100.00%	30.06%	69.53%	0.15%	0.25%	0.00%
National Guard Armory	2,722	414	2,305	2	0	1
	100.00%	15.21%	84.68%	0.07%	0.00%	0.04%
Jonesboro Elementary School	6,349	4,631	1,703	7	3	5
	100.00%	72.94%	26.82%	0.11%	0.05%	0.08%
Addison School	743	30	713	0	0	0
	100.00%	4.04%	95.96%	0.00%	0.00%	0.00%
Woodward Elementary School	1,854	652	1,197	1	3	1
	100.00%	35.17%	64.56%	0.05%	0.16%	0.05%
Fairfield City Hall	3,057	1,105	1,942	1	8	1
	100.00%	36.15%	63.53%	0.03%	0.26%	0.03%
Fairfield Fire Station	4,020	115	3,900	4	0	1
	100.00%	2.86%	97.01%	0.10%	0.00%	0.02%
Midfield Community Center	2,973	2,590	354	13	16	0
	100.00%	87.12%	11.91%	0.44%	0.54%	0.00%
Brighton High School	1,771	69	1,701	0	1	0
	100.00%	3.90%	96.05%	0.00%	0.06%	0.00%

Roosevelt School	2,511 100.00%	56 2.23%	2,452 97.65%	2 0.08%	1 0.04%	0 0.00%
Lipscomb City Hall	3,049 100.00%	1,564 51.30%	1,475 48.38%	2 0.07%	8 0.26%	0 0.00%
Bryants Chapel AME Church	4,317 100.00%	38 0.88%	4,279 99.12%	0 0.00%	0 0.00%	0 0.00%
Riley School	5,401 100.00%	398 7.37%	4,986 92.32%	1 0.02%	14 0.26%	2 0.04%
Fire Station 29	9,112 100.00%	5,371 58.94%	3,717 40.79%	14 0.15%	6 0.07%	4 0.04%
Curry School	4,419 100.00%	2,824 63.91%	1,560 35.30%	4 0.09%	22 0.50%	9 0.20%
Willowwood Recreation Center	5,559 100.00%	1,031 18.55%	4,484 80.66%	16 0.29%	20 0.36%	8 0.14%
Al Youth Services Vacca	3,092 100.00%	1,425 46.09%	1,643 53.14%	0 0.00%	19 0.61%	5 0.16%
Oporto Armory/5801 Tarrant City Ha	4,144 100.00%	205 4.95%	3,937 95.00%	1 0.02%	0 0.00%	1 0.02%
Inglenook School/5910 Mt Park Firs	4,240 100.00%	1,650 38.92%	2,570 60.61%	2 0.05%	3 0.07%	15 0.35%
Morton Simpson Community Center	5,513 100.00%	694 12.59%	4,814 87.32%	3 0.05%	1 0.02%	1 0.02%
Hudson School	3,604 100.00%	0 0.00%	3,600 99.89%	2 0.06%	2 0.06%	0 0.00%

DB: Alabama
Plan: Redistrict

Plan type: Congressional Districts

Units Assigned to a District
District 7
Total Populations, All Ages

Census Unit	Total Pop.	Total White	Total Black	Total Am. Ind.	Total Asian/PI	Total Other
North Bham Recreation Center	3,629	504	3,121	2	2	0
	100.00%	13.89%	86.00%	0.06%	0.06%	0.00%
Wrights Chapel United Methodist	2,700	41	2,657	0	0	2
	100.00%	1.52%	98.41%	0.00%	0.00%	0.07%
Hooper City Recreation Center	2,362	2	2,357	0	1	2
	100.00%	0.08%	99.79%	0.00%	0.04%	0.08%
Lewis School	1,458	0	1,457	0	1	0
	100.00%	0.00%	99.93%	0.00%	0.07%	0.00%
Harriman Park Recreation	613	1	612	0	0	0
	100.00%	0.16%	99.84%	0.00%	0.00%	0.00%
Mount Hebron Baptist Church	4,494	450	4,042	1	1	0
	100.00%	10.01%	89.94%	0.02%	0.02%	0.00%
Woodrow Wilson School	6,604	1,727	4,841	3	28	5
	100.00%	26.15%	73.30%	0.05%	0.42%	0.08%
Fairview School	6,168	1,401	4,737	17	11	2
	100.00%	22.71%	76.80%	0.28%	0.18%	0.03%
Ensley High School Gym	3,846	80	3,755	2	9	0
	100.00%	2.08%	97.63%	0.05%	0.23%	0.00%

East Ensley Branch Public Library	2,720	15	2,697	1	7	0
	100.00%	0.55%	99.15%	0.04%	0.26%	0.00%
Howze Sanford Recreation	1,859	32	1,827	0	0	0
	100.00%	1.72%	98.28%	0.00%	0.00%	0.00%
Pratt City Fire Station	2,692	428	2,261	0	3	0
	100.00%	15.90%	83.99%	0.00%	0.11%	0.00%
George N Scott School	4,584	109	4,468	0	6	1
	100.00%	2.38%	97.47%	0.00%	0.13%	0.02%
Total Jefferson County	258,515	62,630	195,135	252	346	152
	100.00%	24.23%	75.48%	0.10%	0.13%	0.06%
Lowndes County	12,658	3,185	9,456	10	4	3
	100.00%	25.16%	74.70%	0.08%	0.03%	0.02%
Marengo County	23,084	11,314	11,745	11	11	3
	100.00%	49.01%	50.88%	0.05%	0.05%	0.01%
Montgomery County						
Normandale Library						
Tract 0022						
Block Group 3						
Block 301	30	3	27	0	0	0
	100.00%	10.00%	90.00%	0.00%	0.00%	0.00%
Block 311	53	1	52	0	0	0
	100.00%	1.89%	98.11%	0.00%	0.00%	0.00%
Total Block Group 3	83	4	79	0	0	0
	100.00%	4.82%	95.18%	0.00%	0.00%	0.00%

DB: Alabama
Plan: Redistrict

Plan type: Congressional Districts

Units Assigned to a District
District 7
Total Populations, All Ages

Census Unit	Total Pop.	Total White	Total Black	Total Am. Ind.	Total Asian/PI	Total Other
Total Tract 0022	83	4	79	0	0	0
	100.00%	4.82%	95.18%	0.00%	0.00%	0.00%
Total Normandale Library	83	4	79	0	0	0
	100.00%	4.82%	95.18%	0.00%	0.00%	0.00%
Bellingrath Community Center	2,277	102	2,166	0	0	9
	100.00%	4.48%	95.13%	0.00%	0.00%	0.40%
Beulah Baptist Church	8,252	380	7,861	3	2	6
	100.00%	4.60%	95.26%	0.40%	0.02%	0.07%
Carver High School	3,535	43	3,478	4	6	4
	100.00%	1.22%	98.39%	0.11%	0.17%	0.11%
Capital City Boys Club	3,524	387	3,103	8	17	9
	100.00%	10.98%	88.05%	0.23%	0.48%	0.26%
Montgomery Boys Club	2,472	1,198	1,249	6	16	3
	100.00%	48.46%	50.53%	0.24%	0.65%	0.12%
Hayneville Road Community Center	3,177	320	2,847	5	5	0
	100.00%	10.07%	89.61%	0.16%	0.16%	0.00%
Fort Sheperd Armory	3,013	374	2,635	0	3	1
	100.00%	12.41%	87.45%	0.00%	0.10%	0.03%

William Harrison Elementary	1,688 100.00%	145 8.59%	1,540 91.23%	1 0.06%	1 0.06%	1 0.06%
Southlawn Elementary	5,345 100.00%	157 2.94%	5,179 96.89%	2 0.04%	4 0.07%	3 0.06%
Houston Hill Community Center	3,648 100.00%	406 11.13%	3,228 88.49%	13 0.36%	1 0.03%	0 0.00%
Alabama State University	4,151 100.00%	480 11.56%	3,652 87.98%	7 0.17%	9 0.22%	3 0.07%
Hamner Hall Fire Station	2,524 100.00%	499 19.77%	1,999 79.20%	12 0.48%	12 0.48%	2 0.08%
Goode Street School	5,764 100.00%	394 6.84%	5,355 92.90%	2 0.03%	8 0.14%	5 0.09%
McIntyre Community Center	4,767 100.00%	67 1.41%	4,697 98.53%	3 0.06%	0 0.00%	0 0.00%
Newtown Community Center	4,252 100.00%	1,111 26.13%	3,115 73.26%	7 0.16%	16 0.38%	3 0.07%
North Community Center	5,882 100.00%	2,165 36.81%	3,664 62.29%	8 0.14%	40 0.68%	5 0.09%
Union Academy Baptist Church	323 100.00%	121 37.46%	202 62.54%	0 0.00%	0 0.00%	0 0.00%
Union Chapel Ame Zion Church	1,599 100.00%	599 34.96%	1,036 64.79%	3 0.19%	1 0.06%	0 0.00%
King Hill Community Center	1,687 100.00%	712 42.21%	958 56.79%	4 0.24%	13 0.77%	0 0.00%

DB: Alabama
Plan: Redistrict

Plan type: Congressional Districts

Units Assigned to a District
District 7
Total Populations, All Ages

Census Unit	Total Pop.	Total White	Total Black	Total Am. Ind.	Total Asian/PI	Total Other
Catoma School	1,975	1,691	267	6	10	1
	100.00%	85.62%	13.52%	0.30%	0.51%	0.05%
Hope Hull Church of Christ	718	348	354	1	2	13
	100.00%	48.47%	49.30%	0.14%	0.28%	1.81%
Snowdown Women's Club	565	222	338	4	1	0
	100.00%	39.29%	59.82%	0.71%	0.18%	0.00%
Newell Brothers Construction	1,064	746	311	2	0	5
	100.00%	70.11%	29.23%	0.19%	0.00%	0.47%
Fleta Masonic Lodge	1,431	867	558	4	2	0
	100.00%	60.59%	38.99%	0.28%	0.14%	0.00%
Lapine Community Center	1,000	577	420	0	3	0
	100.00%	57.70%	42.00%	0.00%	0.30%	0.00%
Alabama National Bank-Ramer						
Tract 0058						
Block Group 1						
Block 101	39	5	34	0	0	0
	100.00%	12.82%	87.18%	0.00%	0.00%	0.00%

Block 102	0	0	0	0	0	0
Block 103	14 100.00%	14 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 104	0	0	0	0	0	0
Block 105	3 100.00%	3 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 106	93 100.00%	20 21.51%	73 78.49%	0 0.00%	0 0.00%	0 0.00%
Block 107	0	0	0	0	0	0
Block 109	0	0	0	0	0	0
Block 119	176 100.00%	120 68.18%	56 31.82%	0 0.00%	0 0.00%	0 0.00%
Block 120	0	0	0	0	0	0
Block 121	0	0	0	0	0	0
Block 122	0	0	0	0	0	0
Block 123	0	0	0	0	0	0
Block 152	13 100.00%	0 0.00%	13 100.00%	0 0.00%	0 0.00%	0 0.00%
Block 153	39 100.00%	36 92.31%	3 7.69%	0 0.00%	0 0.00%	0 0.00%
Block 154	0	0	0	0	0	0
Water block 199C	0	0	0	0	0	0
Water block 199C	0	0	0	0	0	0

DB: Alabama
Plan: Redistrict

Plan type: Congressional Districts

Units Assigned to a District
District 7
Total Populations, All Ages

Census Unit	Total Pop.	Total White	Total Black	Total Am. Ind.	Total Asian PI	Total Other
Water block 199C	0	0	0	0	0	0
Water block 199C	0	0	0	0	0	0
Water block 199C	0	0	0	0	0	0
Water block 199C	0	0	0	0	0	0
Water block 199C	0	0	0	0	0	0
Water block 199C	0	0	0	0	0	0
Water block 199C	0	0	0	0	0	0
Water block 199C	0	0	0	0	0	0
Water block 199C	0	0	0	0	0	0
Water block 199C	0	0	0	0	0	0
Water block 199C	0	0	0	0	0	0
Water block 199C	0	0	0	0	0	0
Water block 199C	0	0	0	0	0	0
Water block 199C	0	0	0	0	0	0
Total Block Group 1	377	198	179	0	0	0
	100.00%	52.52%	47.48%	0.00%	0.00%	0.00%

Block Group 2						
Block 206	0	0	0	0	0	0
Block 207	2 100.00%	2 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 208	80 100.00%	50 62.50%	30 37.50%	0 0.00%	0 0.00%	0 0.00%
Block 217	141 100.00%	44 31.21%	93 65.96%	4 2.84%	0 0.00%	0 0.00%
Block 218	0	0	0	0	0	0
Block 219	27 100.00%	5 18.52%	22 81.48%	0 0.00%	0 0.00%	0 0.00%
Block 220	7 100.00%	7 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 221	3 100.00%	3 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 222	0	0	0	0	0	0
Block 223	18 100.00%	18 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 224	1 100.00%	1 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 225	2 100.00%	2 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Water block 299E	0	0	0	0	0	0

DB: Alabama
Plan: Redistrict

Units Assigned to a District
District 7
Total Populations, All Ages

Plan type: Congressional Districts

Census Unit	Total Pop.	Total White	Total Black	Total Am. Ind.	Total Asian/PI	Total Other
Water block 299F	0	0	0	0	0	0
Water block 299G	0	0	0	0	0	0
Water block 299H	0	0	0	0	0	0
Total Block Group 2	281 100.00%	132 46.98%	145 51.60%	4 1.42%	0 0.00%	0 0.00%
Block Group 3						
Block 302	50 100.00%	40 80.00%	10 20.00%	0 0.00%	0 0.00%	0 0.00%
Block 303	0	0	0	0	0	0
Block 304	57 100.00%	48 84.21%	9 15.79%	0 0.00%	0 0.00%	0 0.00%
Block 305	18 100.00%	18 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 306	7 100.00%	6 85.71%	1 14.29%	0 0.00%	0 0.00%	0 0.00%

Block 307	5 100.00%	5 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 308	10 100.00%	10 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 309	26 100.00%	26 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 310	0	0	0	0	0	0
Block 311	15 100.00%	15 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 312	0	0	0	0	0	0
Block 313	29 100.00%	26 89.66%	3 10.34%	0 0.00%	0 0.00%	0 0.00%
Block 314	0	0	0	0	0	0
Block 322	1 100.00%	1 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 324	0	0	0	0	0	0
Block 325	1 100.00%	1 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 326	0	0	0	0	0	0
Block 327	0	0	0	0	0	0
Block 328	0	0	0	0	0	0
Block 329	0	0	0	0	0	0
Block 330	0	0	0	0	0	0

DB: Alabama
Plan: Redistrict

Units Assigned to a District
District 7
Total Populations, All Ages

Plan type: Congressional Districts

Census Unit	Total Pop.	Total White	Total Black	Total Am. Ind.	Total Asian/PI	Total Other
Block 331	0	0	0	0	0	0
Water block 399A	0	0	0	0	0	0
Water block 399B	0	0	0	0	0	0
Water block 399C	0	0	0	0	0	0
Total Block Group 3	219	196	23	0	0	0
	100.00%	89.50%	10.50%	0.00%	0.00%	0.00%
Block Group 4						
Block 401	30	28	2	0	0	0
	100.00%	93.33%	6.67%	0.00%	0.00%	0.00%
Block 402	5	5	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Water block 499G	0	0	0	0	0	0
Total Block Group 4	35	33	2	0	0	0
	100.00%	94.29%	5.71%	0.00%	0.00%	0.00%
Total Tract 0058	912	559	349	4	0	0
	100.00%	61.29%	38.27%	0.44%	0.00%	0.00%

Total Alabama National Bank-Ramer	912	559	349	4	0	0
	100.00%	61.29%	38.27%	0.44%	0.00%	0.00%
Total Montgomery County	75,628	14,634	60,640	109	172	73
	100.00%	19.35%	80.18%	0.14%	0.23%	0.10%
Perry County	12,759	4,503	8,219	16	14	7
	100.00%	35.29%	64.42%	0.13%	0.11%	0.05%
Pickens County						
Cochrane	587	171	416	0	0	0
	100.00%	29.13%	70.87%	0.00%	0.00%	0.00%
Ethelsville	408	47	361	0	0	0
	100.00%	11.52%	88.48%	0.00%	0.00%	0.00%
Carrollton						
Tract 9879						
Block Group 3						
Block 306B	3	3	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Total Block Group 3	3	3	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Total Tract 9879	3	3	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Total Carrollton	3	3	0	0	0	0
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Pine Grove	174	106	68	0	0	0
	100.00%	60.92%	39.08%	0.00%	0.00%	0.00%
Spring Hill	126	46	80	0	0	0
	100.00%	36.51%	63.49%	0.00%	0.00%	0.00%

DB: **Alabama**
Plan: **Redistrict**

Plan type: **Congressional Districts**

Units Assigned to a District
District 7
Total Populations, All Ages

Census Unit	Total Pop.	Total White	Total Black	Total Am. Ind.	Total Asian/PI	Total Other
Pickensville	702	204	497	1	0	0
	100.00%	29.06%	70.80%	0.14%	0.00%	0.00%
Sapps						
Tract 9879						
Block Group 3						
Block 311	248	35	213	0	0	0
	100.00%	14.11%	85.89%	0.00%	0.00%	0.00%
Block 312	0	0	0	0	0	0
Block 313	0	0	0	0	0	0
Block 314	0	0	0	0	0	0
Block 320	31	24	7	0	0	0
	100.00%	77.42%	22.58%	0.00%	0.00%	0.00%
Block 321	73	16	57	0	0	0
	100.00%	21.92%	78.08%	0.00%	0.00%	0.00%
Block 322	0	0	0	0	0	0

Block 323	66 100.00%	0 0.00%	66 100.00%	0 0.00%	0 0.00%	0 0.00%
Block 324	17 100.00%	0 0.00%	17 100.00%	0 0.00%	0 0.00%	0 0.00%
Block 325	140 100.00%	0 0.00%	140 100.00%	0 0.00%	0 0.00%	0 0.00%
Water block 399C	0	0	0	0	0	0
Water block 399D	0	0	0	0	0	0
Water block 399E	0	0	0	0	0	0
Water block 399F	0	0	0	0	0	0
Water block 399G	0	0	0	0	0	0
Water block 399H	0	0	0	0	0	0
Water block 399J	0	0	0	0	0	0
Water block 399K	0	0	0	0	0	0
Total Block Group 3	575 100.00%	75 13.04%	500 86.96%	0 0.00%	0 0.00%	0 0.00%
Block Group 4 Block 439	28 100.00%	0 0.00%	28 100.00%	0 0.00%	0 0.00%	0 0.00%
Block 440	119 100.00%	20 16.81%	99 83.19%	0 0.00%	0 0.00%	0 0.00%
Block 469	17 100.00%	17 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%

DB: Alabama
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Units Assigned to a District
District 7
Total Populations, All Ages

Census Unit	Total Pop.	Total White	Total Black	Total Am. Ind.	Total Asian/PI	Total Other
Block 470	3 100.00%	3 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Water block 499W	0	0	0	0	0	0
Water block 499X	0	0	0	0	0	0
Total Block Group 4	167 100.00%	40 23.95%	127 76.05%	0 0.00%	0 0.00%	0 0.00%
Total Tract 9879	742 100.00%	115 15.50%	627 84.50%	0 0.00%	0 0.00%	0 0.00%
Total Sapps	742 100.00%	115 15.50%	627 84.50%	0 0.00%	0 0.00%	0 0.00%
Total Pickens County	2,742 100.00%	692 25.24%	2,049 74.73%	1 0.04%	0 0.00%	0 0.00%
Sumter County	16,174 100.00%	4,759 29.42%	11,369 70.29%	6 0.04%	30 0.19%	10 0.06%
Tuscaloosa County Stillman College	9,591 100.00%	419 4.37%	9,159 95.50%	8 0.08%	3 0.03%	2 0.02%

McDonald Hughes Comm Center	3,599 100.00%	17 0.47%	3,578 99.42%	2 0.06%	0 0.00%	2 0.06%
Army Reserve Center	9,021 100.00%	4,219 46.77%	4,736 52.50%	11 0.12%	38 0.42%	17 0.19%
Bama Mall	9,714 100.00%	5,805 59.76%	3,804 39.16%	24 0.25%	65 0.67%	16 0.16%
Regional Education Center						
Tract 0104.03						
Block Group 1 Block 101A	2 100.00%	2 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 101B	0	0	0	0	0	0
Block 101C	10 100.00%	10 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 102	198 100.00%	160 80.81%	35 17.68%	0 0.00%	3 1.52%	0 0.00%
Block 103	0	0	0	0	0	0
Block 104A	262 100.00%	187 71.37%	74 28.24%	0 0.00%	1 0.38%	0 0.00%
Block 104B	0	0	0	0	0	0
Block 104C	0	0	0	0	0	0
Block 105	139 100.00%	97 69.78%	42 30.22%	0 0.00%	0 0.00%	0 0.00%

DB: Alabama
Plan: Redistrict

Plan type: Congressional Districts

Units Assigned to a District
District 7
Total Populations, All Ages

Census Unit	Total Pop.	Total White	Total Black	Total Am. Ind.	Total Asian/PI	Total Other
Block 106	12 100.00%	7 58.33%	5 41.67%	0 0.00%	0 0.00%	0 0.00%
Block 107	16 100.00%	12 75.00%	4 25.00%	0 0.00%	0 0.00%	0 0.00%
Block 108	82 100.00%	14 17.07%	68 82.93%	0 0.00%	0 0.00%	0 0.00%
Block 109	24 100.00%	24 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 110	14 100.00%	14 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 111	72 100.00%	72 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 112	11 100.00%	11 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 113	11 100.00%	11 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 114	7 100.00%	7 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%

Block 115	19 100.00%	19 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 116	20 100.00%	16 80.00%	4 20.00%	0 0.00%	0 0.00%	0 0.00%
Block 117	62 100.00%	7 11.29%	55 88.71%	0 0.00%	0 0.00%	0 0.00%
Block 118	25 100.00%	6 24.00%	19 76.00%	0 0.00%	0 0.00%	0 0.00%
Block 119	19 100.00%	19 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 120	7 100.00%	7 100.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Block 121	0	0	0	0	0	0
Block 122	0	0	0	0	0	0
Total Block Group 1	1,012 100.00%	702 69.37%	306 30.24%	0 0.00%	4 0.40%	0 0.00%
Total Tract 0104.03	1,012 100.00%	702 69.37%	306 30.24%	0 0.00%	4 0.40%	0 0.00%
Tract 0104.04						
Block Group 1						
Block 102	34 100.00%	0 0.00%	34 100.00%	0 0.00%	0 0.00%	0 0.00%
Block 103	25 100.00%	0 0.00%	25 100.00%	0 0.00%	0 0.00%	0 0.00%

DB: Alabama
Plan: Redistrict

Units Assigned to a District
District 7
Total Populations, All Ages

Plan type: Congressional Districts

Census Unit	Total Pop.	Total White	Total Black	Total Am. Ind.	Total Asian/PI	Total Other
Block 104	32	1	31	0	0	0
	100.00%	3.13%	96.88%	0.00%	0.00%	0.00%
Block 105	49	2	47	0	0	0
	100.00%	4.08%	95.92%	0.00%	0.00%	0.00%
Block 106	10	0	10	0	0	0
	100.00%	0.00%	100.00%	0.00%	0.00%	0.00%
Block 107	8	0	8	0	0	0
	100.00%	0.00%	100.00%	0.00%	0.00%	0.00%
Block 108	43	0	43	0	0	0
	100.00%	0.00%	100.00%	0.00%	0.00%	0.00%
Block 109	21	0	21	0	0	0
	100.00%	0.00%	100.00%	0.00%	0.00%	0.00%
Block 110	13	0	13	0	0	0
	100.00%	0.00%	100.00%	0.00%	0.00%	0.00%
Block 111	24	1	23	0	0	0
	100.00%	4.17%	95.83%	0.00%	0.00%	0.00%
Block 112	19	1	18	0	0	0
	100.00%	5.26%	94.74%	0.00%	0.00%	0.00%

Block 113	93 100.00%	0 0.00%	93 100.00%	0 0.00%	0 0.00%	0 0.00%
Block 114	38 100.00%	0 0.00%	38 100.00%	0 0.00%	0 0.00%	0 0.00%
Block 115	0	0	0	0	0	0
Block 116	31 100.00%	0 0.00%	31 100.00%	0 0.00%	0 0.00%	0 0.00%
Block 117	15 100.00%	0 0.00%	15 100.00%	0 0.00%	0 0.00%	0 0.00%
Block 118	16 100.00%	0 0.00%	16 100.00%	0 0.00%	0 0.00%	0 0.00%
Total Block Group 1	471 100.00%	5 1.06%	466 98.94%	0 0.00%	0 0.00%	0 0.00%
Block Group 2						
Block 201	17 100.00%	1 5.88%	16 94.12%	0 0.00%	0 0.00%	0 0.00%
Block 202	77 100.00%	0 0.00%	77 100.00%	0 0.00%	0 0.00%	0 0.00%
Block 203	36 100.00%	0 0.00%	36 100.00%	0 0.00%	0 0.00%	0 0.00%
Block 204	67 100.00%	0 0.00%	67 100.00%	0 0.00%	0 0.00%	0 0.00%
Block 205	14 100.00%	0 0.00%	14 100.00%	0 0.00%	0 0.00%	0 0.00%

DB: Alabama
Plan: Redistrict

Plan type: Congressional Districts

Units Assigned to a District
District 7
Total Populations, All Ages

Census Unit	Total Pop.	Total White	Total Black	Total Am. Ind.	Total Asian/PI	Total Other
Block 206	16	0	16	0	0	0
	100.00%	0.00%	100.00%	0.00%	0.00%	0.00%
Block 207	96	0	96	0	0	0
	100.00%	0.00%	100.00%	0.00%	0.00%	0.00%
Block 208	5	0	5	0	0	0
	100.00%	0.00%	100.00%	0.00%	0.00%	0.00%
Block 209	25	0	25	0	0	0
	100.00%	0.00%	100.00%	0.00%	0.00%	0.00%
Block 210	102	5	97	0	0	0
	100.00%	4.90%	95.10%	0.00%	0.00%	0.00%
Block 211	110	3	107	0	0	0
	100.00%	2.73%	97.27%	0.00%	0.00%	0.00%
Block 212	30	0	30	0	0	0
	100.00%	0.00%	100.00%	0.00%	0.00%	0.00%
Block 213	1	0	1	0	0	0
	100.00%	0.00%	100.00%	0.00%	0.00%	0.00%
Block 214	37	7	30	0	0	0
	100.00%	18.92%	81.08%	0.00%	0.00%	0.00%

Block 215	0	0	0	0	0	0
Water block 299	0	0	0	0	0	0
Total Block Group 2	633	16	617	0	0	0
	100.00%	2.53%	97.47%	0.00%	0.00%	0.00%
Block Group 3						
Block 310	0	0	0	0	0	0
Block 311	0	0	0	0	0	0
Block 312	7	1	6	0	0	0
	100.00%	14.29%	85.71%	0.00%	0.00%	0.00%
Block 317	14	0	14	0	0	0
	100.00%	0.00%	100.00%	0.00%	0.00%	0.00%
Block 318	7	0	7	0	0	0
	100.00%	0.00%	100.00%	0.00%	0.00%	0.00%
Block 319	0	0	0	0	0	0
Block 323	0	0	0	0	0	0
Water block 399A	0	0	0	0	0	0
Total Block Group 3	28	1	27	0	0	0
	100.00%	3.57%	96.43%	0.00%	0.00%	0.00%
Total Tract 0104.04	1,132	22	1,110	0	0	0
	100.00%	1.94%	98.06%	0.00%	0.00%	0.00%
Total Regional Education Center	2,144	724	1,416	0	4	0
	100.00%	33.77%	66.04%	0.00%	0.19%	0.00%

DB: Alabama
Plan: Redistrict

Plan type: Congressional Districts

Units Assigned to a District
District 7
Total Populations, All Ages

Census Unit	Total Pop.	Total White	Total Black	Total Am. Ind.	Total Asian/PI	Total Other
McFarland Mall	13,467	10,532	2,726	19	172	18
	100.00%	78.21%	20.24%	0.14%	1.28%	0.13%
Cottondale Methodist Church	3,492	3,447	39	2	1	3
	100.00%	98.71%	1.12%	0.06%	0.03%	0.09%
Coaling Community Center	2,476	2,203	247	21	5	0
	100.00%	88.97%	9.98%	0.85%	0.20%	0.00%
Vance Community Center	1,519	1,491	28	0	0	0
	100.00%	98.16%	1.84%	0.00%	0.00%	0.00%
Masonic Lodge/Bucksville Baptist/L	4,398	4,176	204	13	5	0
	100.00%	94.95%	4.64%	0.30%	0.11%	0.00%
BF Goodrich Union Hall	972	518	453	0	1	0
	100.00%	53.29%	46.60%	0.00%	0.10%	0.00%
Hillcrest High	3,276	2,727	531	7	11	0
	100.00%	83.24%	16.21%	0.21%	0.34%	0.00%
Big Sandy Baptist Church	2,302	1,547	751	3	1	0
	100.00%	67.20%	32.62%	0.13%	0.04%	0.00%

Duncanville Church/Community Cente	3,212 100.00%	3,072 95.64%	131 4.08%	3 0.09%	2 0.06%	4 0.12%
Total Tuscaloosa County	69,183 100.00%	40,897 59.11%	27,803 40.19%	113 0.16%	308 0.45%	62 0.09%
Wilcox County	13,568 100.00%	4,203 30.98%	9,353 68.93%	6 0.04%	6 0.04%	0 0.00%
Total District 7	577,227 100.00%	185,454 32.13%	389,796 67.53%	599 0.10%	1,045 0.18%	333 0.06%

APPENDIX B

IN THE UNITED STATES COURT FOR THE
SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

Civil Action No. 91-0787

PAUL CHARLES WESCH,
Plaintiff,

MICHAEL FIGURES, *et al.*,
Intervenor-Plaintiffs,

vs.

GUY HUNT, *et al.*,
Defendants.

MEMORANDUM OPINION

[Filed Mar. 9, 1992]

Before COX, Circuit Judge, HAND, Senior District Judge, and ALBRITTON, District Judge.

BY THE COURT

INTRODUCTION

On September 23, 1991, Plaintiff Paul Charles Wesch brought this action seeking declaratory and injunctive relief against the Governor of Alabama, as well as other state officials, contending, *inter alia*, that the present State law defining congressional districts in the State of Alabama violates Art. I, § 2 of the Constitution. Based on 1990 census data, Wesch specifically alleges that if the 1992 congressional elections were to be held under the present districting plan, it would violate his right to the constitutionally mandated "one-person, one-vote" scheme of representation.

Pursuant to 28 U.S.C. § 2284(a), this three-judge court was convened. On December 9, 1991, Michael Figures and others, who assert a claim under the Voting Rights Act, 42 U.S.C. § 1973 *et seq.*, were granted leave to intervene. A two day trial was held.

Having considered the evidence and the post-trial submissions of the parties, the court enters the following findings of fact and conclusions of law.

FINDINGS OF FACT

1. The Plaintiff Paul Charles Wesch is a citizen of the United States and is a resident and registered voter in the First Congressional District of Alabama as presently configured.

2. The Intervenor-Plaintiffs, Michael Figures and others, are African-American citizens of the United States and the State of Alabama. They have been allowed to intervene in this litigation both on their own behalf and on behalf of all African-American citizens of the State of Alabama.

3. It was agreed by all parties, including the Plaintiff-Intervenors, that the complaint of intervention would proceed on an allegation that § 2 of the Voting Rights Act has been violated, insofar as the class represented by the intervenors had been denied meaningful access to the voting process that would allow them to elect candidates of their choice.

4. The court notes that the original complaint was filed in September, a fact known to the Plaintiff-Intervenors who chose not to intervene until December 4, 1991. Therefore, the Plaintiff-Intervenors were permitted to intervene only after they agreed to comply with all procedures and deadlines in place.

5. The Defendant Guy Hunt is the Governor of Alabama. The Defendant Billy Joe Camp is the Secretary of State of Alabama. The Defendants Lionel W. Noonan,

Harry D'Olive, Devon Wiggins, Otha Lee Biggs, Jerry Bogan, Clarence Watters, and Tom W. Turner are the Probate Judges of the seven counties which presently comprise the First Congressional District of Alabama. All Defendants are sued both in their individual and official capacities. All Defendants have significant duties in the administration of congressional elections in Alabama.

6. This court advised the parties of its intent to employ Professor Harold W. Stanley as the court's expert to assist in considering any and all plans for redistricting that might be submitted, and to advise the court on the statistical issues in regard to any possible redistricting. The court extended to the parties the opportunity to state if there were any objections to the court's selection of this expert. No objections were filed. After the trial, the parties were also given the opportunity to object to the statistical information relied on by Professor Stanley, the same information underlying this order. No objections were filed.

7. In 1981, the Alabama Legislature enacted the current version of Ala. Code § 17-20-1 (1987), which divided the state into seven congressional districts. During 1990, the Bureau of the Census of the United States Department of Commerce conducted a census of the United States, including the State of Alabama, pursuant to constitutional authority. On January 16, 1991, the Clerk of the United States House of Representatives notified Governor Hunt that Alabama would retain seven seats in the House of Representatives following the 1990 census. (Statement of Agreed Facts and Exhibit A thereto.)

8. According to the 1990 census, Alabama's total population is 4,040,587 persons. In order to achieve exact population equality among each of Alabama's seven congressional districts, the ideal population of each district would be 577,227 persons. (Statement of Agreed Facts and Exhibit B thereto.)

9. Alabama's most populous congressional district is District 5, which has 603,726 persons. Accordingly, Dis-

trict 5 varies from the "ideal" population by 26,499 persons, or 4.59%. Alabama's least populous congressional district is District 6, which has 532,748 persons. Accordingly, District 6 varies from the "ideal" population by 44,479 persons, or 7.71%. The difference between the populations of the most populous and least populous districts is 70,978 persons, which constitutes a relative overall variance from the ideal population of 12.3%. (Statement of Agreed Facts, Exhibit B.)

10. African-Americans do not constitute a majority in any of Alabama's existing congressional districts. (Statement of Agreed Facts, Exhibit C.) However, according to the 1990 census data, the African-American population in Alabama is sufficiently compact and contiguous to permit the creation of a congressional district in which 65% or more of the residents are African-Americans. The parties agree that such a district should be created. (Supplemental Stipulation filed January 3, 1992.)

11. On February 8, 1991, the Alabama Legislature received the 1990 census data on magnetic tape from the Bureau of Census, and this information was loaded, as received, into the computer system maintained by the Alabama Legislature's Permanent Joint Legislative Committee on Reapportionment ("Reapportionment Committee"). The population data in the Reapportionment Committee's computer data base is the official 1990 census data compiled and released by the Bureau of the Census and is accurate and reliable information for redistricting purposes. (Statement of Agreed Facts.) On July 15, 1991, the Secretary of Commerce advised that there would be no adjustment to the 1990 census figures as originally transmitted to the Alabama Legislature.

12. The total population of each existing congressional district is reflected in Appendix A to this opinion. The total population of each existing congressional district by race is reflected in Appendix B; the total population by race of each of Alabama's 67 counties is reflected in Appendix C; and the voting age population by race of each

of the 67 counties is reflected in Appendix D. The names, dates when first elected, and home addresses of Alabama's incumbent congressmen are reflected in Appendix E.

13. On April 2, 1991, the Reapportionment Committee adopted a set of guidelines for redistricting. (Plaintiff's Exhibit 1; deposition of Marilyn Terry, pp. 24-25.) The Guidelines set forth a fair set of criteria for congressional redistricting. In addition to mandating compliance with population equality or the "one-person, one-vote" rule and the requirements of the Voting Rights Act, these guidelines included the following criteria:

> 3. All legislative and congressional districts will be composed of contiguous and reasonably compact geography.
>
> 4. Where possible, legislative and congressional districts should attempt to preserve communities of interest, including without limitation municipalities and concentrations of blacks and other ethnic minorities, where such efforts do not violate the other stated criteria.
>
> 5. Counties should be used as district building blocks where possible, and to the extent consistent with other aspects of these criteria.
>
> > a. Where county lines cannot be maintained, district boundaries should follow as closely as practicable the local voting precinct boundary lines in order to minimize voter confusion and cost of election administration.
> >
> > b. Where voting precinct boundary lines cannot be followed and also meet the geographic guidelines as stated in this section, district lines must follow census block geography in order to maintain the integrity of the statistical analysis.
>
> 6. Efforts will be made to preserve cores of existing districts where such efforts are consistent with and do not violate the other criteria stated herein.

14. The Alabama Legislature adjourned its 1991 regular session on July 29, 1991, without enacting a congressional redistricting plan. (Statement of Agreed Facts, Paragraph 13.) It was argued that the Legislature might delay the primaries for congressional elections, allowing it time to adopt and have precleared a constitutional redistricting plan. If that were done, two primaries would have to be held, entailing added cost to the taxpayers.

15. By statute, Alabama's congressional primaries will be held June 2, 1992. The qualifying deadline for candidates is sixty days prior to the primary, or April 3, 1992.[1] In order for a legislatively-enacted congressional redistricting plan to receive the "preclearance" from the Justice Department required by § 5 of the Voting Rights Act, 42 U.S.C. § 1973c, in time for the April 3 qualifying deadline, such a plan should have been submitted to the Justice Department no later than February 3, 1992.

16. Under Alabama law, the calling of special sessions of the Legislature is a discretionary call on the part of the Governor. Ala. Const. Art. V, § 122. The Governor's answer filed on October 29, 1991, indicated that the Governor did not plan to call a special session of the Legislature for the purposes of redistricting.

17. At the time this case was filed, this court considered it highly unlikely that the legislative process could produce a congressional redistricting plan and have it precleared in time for the 1992 congressional primaries to be held as scheduled. Nothing was presented to this court to indicate that the Legislature would convene for the purpose of adopting a plan of redistricting in time to be precleared for these elections. Nothing was presented to indicate that even if a special session was called for the purpose of considering redistricting, that a successful effort would follow, or that even if the Legislature

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[1] Ala. Code §§ 17-16-6 to -11 (Supp. 1990).

was allowed to consider the matter after the regular term commenced on February 4, 1992, that a plan would be forthcoming, and if forthcoming, there would be time to have such plan precleared. The court considered this case on a fast track in light of the impending primary. All parties participating in this case were put on notice of this fact.

18. Consequently, the court finds that the only means by which Alabama's 1992 congressional primaries may be held in a timely manner (other than under the current districting scheme which, for reasons enumerated in the Conclusions of Law, the court rejects) is pursuant to an interim redistricting plan ordered by this court.

19. The parties have submitted six proposed redistricting plans to the court for its consideration: (1) the "Reed Plan," Plaintiff's Exhibits 3 and 7; (2) the "Sam Pierce Zero Plan," Plaintiff's Exhibits 2 and 6 (hereafter the "Pierce Plan"); (3) the "Hilliard Plan," Intervenors' Exhibits 3 and 3A; (4) the "Unity Plan," Intervenors' Exhibits 1 and 1A; (5) the "Modified Unity Plan," Intervenors' Exhibits 2 and 2A; and (6) the "CD25 Plan," Intervenors' Exhibits 4 and 4A.

20. Of the six plans submitted, only the Reed Plan was considered in its final form by the Reapportionment Committee. The Pierce Plan, however, is a modification of a plan called the "Larry Dixon Plan" which was considered by the Reapportionment Committee. The Pierce Plan modified the Larry Dixon Plan to some extent, but the basic format is similar. The Legislature of the State of Alabama created an Interim Task Force on Reapportionment by Act #87-356. By Act #90-388 that task force became the staff to the Permanent Committee on Reapportionment of the Alabama Legislature. The task force scheduled a series of public hearings in regard to redistricting matters, and under the instructions given to the Reapportionment Committee, as set forth in the Guide-

lines for Legislative and Congressional Redistricting, the Reapportionment Committee meetings and public hearings were open to the public and all plans presented to the Reapportionment Committee were to be made available to the public for its input. These public meetings were held in accordance with the schedule outlined in the appendix to the motion to dissolve filed by Evans (Tab #14). Among those plans considered by the Reapportionment Committee, and one that apparently was to be presented to the Legislature, was the Larry Dixon Plan.

The Reapportionment Committee conducting the hearings was made up both African-Americans and Whites. Public input to the Reapportionment Committee in regard to the respective plans was from both African-Americans and Whites.

21. Neither The Pierce Plan nor the Larry Dixon Plan was adopted by the Alabama Legislature.

22. We take judicial notice of the fact that the Legislature has since adopted a plan which substantially differs from any plan that was submitted to this court. We also note the fact that the adopted Plan has neither been precleared by the Justice Department nor approved by the District Court for the District of Columbia.

23. Only two of the plans submitted—the Pierce Plan and the Reed Plan—achieve population equality among the districts. Under the Pierce Plan two districts contain one person less than the ideal district population of 577,227. Under the Reed Plan, one district has two fewer voters than the ideal. The Hilliard Plan has a total deviation of .71% and an average deviation of .63%. The Modified Unity Plan shows a deviation of 1.6% with an average of .52%. The Unity Plan exhibits a total deviation of 1.15% and an average of .27%. Finally, the CD25 Plan has a deviation of .02%. Deviations in all these plans are not justified by any particular goal or interest.

24. Both the Pierce and Reed Plans contain a district with more than 65% African-American population. Under the Pierce Plan, District 7 contains an African-American population comprising 67.69% of the total residents of that District and 63.58% of that District's voting age residents. These percentages slightly exceed those in the majority African-American district (District 4) created by the Reed Plan: 66.69% total population and 62.93% voting age population. (Plaintiff's Exhibits 2 and 3; TR 15-16.) More significantly, as of December 1990, the African-American percentage of registered voters in the Pierce Plan's District 7 was 55.55%, which is 3% greater than the African-American percentage of registered voters in the Reed Plan's District 4.

25. Both the Reed Plan and the Pierce Plan provide African-Americans in Alabama with a substantial majority so as to permit them an opportunity to elect a candidate of their choice. The district in the Pierce Plan is slightly more weighted because it includes higher percentages of African-Americans in total population, voting age population and registered voter population.

26. The Hilliard Plan includes two majority African-American districts, with an African-American population of 59.33% and 61.98%respectively. Although this plan was submitted by the intervenors, they took the position that the Hilliard Plan probably provided obstacles of sufficient nature to cast doubt on their opportunity to elect candidates of their choice in these districts.

27. There are significant differences between the Pierce Plan and the Reed Plan in terms of compactness of their districts. District 1 of the Pierce Plan includes six closely contiguous counties in southwest Alabama, whereas District 1 under the Reed Plan includes Mobile County to the south and Tuscaloosa County to the north. District 2 under the Pierce Plan is largely composed of counties in the southeast corner of the state, while the Reed Plan's

District 2 stretches from Mobile County, in the extreme southwest corner of the State, to Lee County, in east central Alabama. The Pierce Plan is superior to the Reed Plan in terms of compactness.[2]

28. The Pierce Plan maintains the integrity of individual voting precincts to a far greater degree than does the Reed Plan. The Pierce Plan splits only 10 voting precincts statewide, whereas the Reed Plan splits at least 57. (Plaintiff's Exhibits 2 and 3.) A redistricting plan should minimize precinct splitting when possible because of administrative problems encountered in the conduct of elections when precincts are split.

Furthermore, it is possible to construct a majority African-American district in Alabama using precincts as building blocks.

29. The Pierce Plan splits seven counties. The Reed Plan splits eight counties. The Hilliard Plan splits thirty-one counties.

30. The Pierce Plan also maintains the cores of existing districts to a much greater extent than the Reed Plan. Again, the most striking differences between the plans in this regard are apparent in Districts 1 and 2. There are also significant differences in District 3. The following table reflects the percentage of residents of existing Districts 1, 2, and 3 who remain in those districts under the Pierce and Reed Plans:

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[2] The Reock Test indicates that the Reed Plan contains a district which is the *least* compact of any of the 35 districts analyzed by the Reapportionment Office. The Reed Plan's District 1 has a Reock Test measurement with less than 0.2 and by comparison, the average of the Pierce districts under the Reock Test is 0.41.

The Reock Test is a relatively simple method of measuring the relationship between the area of the district and the area of the smallest possible circumscribing circle. The resulting measure is a number between 1 to 0, with numbers closer to one being more compact. *See Karcher v. Dagget*, 462 U.S. 725, 756-57 (1983).

District	Pierce	Reed
1	97.2	64.3
2	86.7	57.0
3	85.2	75.0

31. As a consequence of its apparent disregard for maintaining the cores of existing Districts 1 and 2, the Reed Plan would also separate the incumbent congressmen in those districts from a large percentage of their current constituents. Under the Reed Plan, Congressman Callahan, the incumbent in the present District 1, would be placed in District 2. (Plaintiff's Exhibit 20.) District 2 under the Reed Plan contains only 25.6% of Congressman Callahan's existing constituents. Likewise, the Reed Plan would place Congressman Dickinson, the present incumbent in District 2, in District 3 against District 3's incumbent, Congressman Browder. (Plaintiff's Exhibit 20.) 75.0% of the current residents of District 3—Congressman Browder's present constituents—are included in the Reed Plan's District 3. However, only 19.0% of Congressman Dickinson's present constituents are included in that District.

32. Another consequence of the Reed Plan's distortion of Districts 1 and 2 is that the Pierce Plan better preserves the communities of interests in those two districts.

CONCLUSIONS OF LAW

33. The court has jurisdiction pursuant to the authority contained in 28 U.S.C. §§ 1331, 1343, 2284 and 42 U.S.C. § 1971 *et seq.*

34. Congressional redistricting is primarily and foremost a state legislative responsibility. It is therefore with great reluctance that we order an interim plan to become effective for the upcoming 1992 elections. It is out of deference to the Legislature that we have delayed our ruling until this time. In fact, we have afforded it every

opportunity to fashion its own plan in order that it could fulfill its responsibility under the Constitution.[3]

35. Unfortunately, the Legislature has not yet precleared its adopted plan so that it can be in place for the impending elections, and we are bound by the Constitution not to permit these elections under the present districts.[4]

36. First and foremost, any court ordered redistricting plan must achieve precise population equality among its districts. *Wesberry v. Sanders*, 376 U.S. 1 (1964); *Kirkpatrick v. Preisler*, 394 U.S. 526 (1969). This is to ensure that "as nearly as is practicable one man's vote in a congressional election will be worth as much as

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[3] It was argued that the Legislature was unable to fulfill its obligation to redistrict because the census information it received in February 1991 might be subject to correction. This argument fails because the Supreme Court has previously indicated that the fact that the latest correction of the census is not available at the time the problem is addressed is of no moment to that effort. *Karcher v. Dagget*, 462 U.S. 725, 729 (1983).

[4] The Alabama law establishes the qualifying date for upcoming primary elections at April 3, 1992, and as noted *supra*, the ability of the Legislature to preclear its newly adopted plan appears illusory. Those who may desire to seek congressional office, and who must qualify by April 3, 1992, are left in a quandary as to what will be their district, when they are to qualify, when will the primaries actually be conducted, and, potentially, whether an election will be held at all. In addition to candidates being left in such a quandary, certain requirements of the law impact on the election officials, including the Probate Judges and others, who must conduct these elections. Lastly, the voters are impacted by the effect of potential delays as it affects the quality of their representation in the national legislature. For these reasons, this court finds that there is an emergency that requires judicial attention under the law in order to provide adequate relief for all affected, including the plaintiff. Since this is so, it becomes necessary for the court to consider an appropriate plan in light of the judicial standards imposed in drafting such plans as against those that might be considered by a legislature. *Chapman v. Meier*, 420 U.S. 1 (1975); *Connor v. Finch*, 431 U.S. 407 (1977).

another's." *Wesberry*, 376 U.S. at 7-8. Put another way, Art. I, § 2 prohibits any population deviations among districts in a congressional redistricting plan without proper justification. *Kirkpatrick*, 394 U.S. at 531.

37. Among the plans submitted, only two meet this rigorous standard[5]—the Pierce Plan and the Reed Plan. All the other plans which were submitted have unacceptable deviations. Further, none of the proponents of these plans provide an adequate justification for the deviation and we have "no authority to depart from the constitutional mandate of perfect equality in order to achieve some non-constitutional policy" that we believe will serve the public good.[6] *Connor*, 431 U.S. at 417.

38. If it is possible under constitutional restrictions, a court should consider expressed state policies and preferences. The Reapportionment Committee established

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[5] Precise population equality is a demanding standard requiring the states to "justify each variance no matter how small." *Karcher*, 462 U.S. at 730 (quoting *Kirkpatrick*, 394 U.S. at 530-31 (citations omitted)). *See Hastert v. State Bd. of Elections*, 777 F. Supp. 634 (N.D. Ill. 1991) (rejecting a plan with a .00297% population deviation because the plan's proponent could not justify its equality inferiority in comparison with another submitted plan with a .00017% deviation).

The advancement of information processing technologies in the last decade since *Karcher* have raised the deviation standard to an "absolute population equality," giving greater authority to the Court's 1983 statement that "rapid advances in computer technology and education during the last two decades make it relatively simply to draw contiguous districts of equal population and at the same time to further whatever secondary goals the state has." *Karcher*, 462 U.S. at 732.

[6] Some of these parties argue that the population deviations in their plans can be zeroed out easily. This may be so, but we remind the parties that this type of computation is not this court's responsibility. If a party wishes to propose a plan for adoption by a court, then it is incumbent upon that party to fashion a plan that comports with the law.

guidelines by which to measure a proposed apportionment plan. These guidelines reflect constitutional considerations established by case and statutory law. Any redistricting plan should take into consideration: compactness/contiguity; preservation of political subdivisions; maintenance of communities of interest; and preservation of the core areas of existing districts.

39. Compactness addresses the geographic shape of districts. The most compact district is the district that is configured in the smallest possible area. *See Karcher*, 462 U.S. at 756-57. Preservation of political subdivisions promotes efficient representation, empowers a constituency's ability to organize productively, and serves as a deterrent to partisan gerrymandering. *Burton v. Hobbie*, 561 F. Supp. 1029, 1035 (M.D. Ala. 1983); *Ely v. Klahr*, 403 U.S. 108 (1971). Protecting communities of interest is meant to keep intact "distinctive units which share common concerns with respect to one or more identifiable features such as geography, demography, ethnicity, culture, socio-economic status or trade." *Carstens v. Lamm*, 543 F. Supp. 68 (D.C. Colo. 1982). Preserving cores of existing congressional districts prevents needless modifications and avoids pitting two incumbent congressmen against one another. *Karcher*, 462 U.S. at 740. Based on the findings made above, we conclude that the Pierce Plan better satisfies the above criteria than does the Reed Plan, or any of the other plans.

40. With regard to the majority African-American district, the parties entered into the following stipulation:

> According to 1990 data compiled and released by the United States Bureau of the Census, the African American population in the State of Alabama is sufficiently compact and contiguous to comprise a single member significant majority (65% or more) African American Congressional district. Consequently, all parties agree that a significant majority African American Congressional district should be created.

(Supplemental Stipulation dated January 3, 1992.) This stipulation avoided the necessity of the court considering prolonged testimony regarding whether § 2 of the Voting Rights Act requires the creation of such a district under the circumstances present in this case. This court will honor the stipulation, and accordingly, will not make an independent determination of whether § 2 of the Voting Rights Act requires the creation of a majority African-American congressional district in Alabama at this time. The court has found that the Pierce Plan creates a majority African-American district that provides African-Americans a reasonable opportunity to elect a candidate of their choice, and does so without the need for extensive gerrymandering. The court deems it inappropriate to make a judicial determination relative to what § 2 requires under the circumstances present in this case in light of the stipulation; the parties do not contest the matter and therefore it would be imprudent for the court to address it. This case does not require this court to decide whether the creation of a majority African-American district is mandated by either § 2 or the Constitution and as a matter of judicial restraint we do not undertake to do so.

41. Therefore, having followed the mandate in *Karcher*, while keeping in mind the desirability of preserving compactness, cores of all districts, communities of interest, and political subdivisions, we adopt the Pierce Plan except to the extent mentioned below.[7]

First, we have discovered no justifiable basis for the fact that the Pierce Plan places Congressman Erdreich and Congressman Harris in the same district. The Su-

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[7] When no plan submitted to a court fully comports with objectives and criteria that should be incorporated in a judicially approved plan, a court should fashion its own plan to satisfy relevant legal criteria and incorporate the most desirable aspects of the plans presented to the court. *Carstens v. Lamm*, 543 F. Supp. 68 (D.C. Colo. 1982).

preme Court has recognized the policy of "avoiding contests between incumbent representatives" as a legitimate objective. *Karcher*, 462 U.S. at 740. *See also Burton v. Hobbie*, 561 F. Supp. at 1035. Accordingly, we have modified the Pierce Plan so that the two congressmen will not be in the same district. Second, in working to achieve zero population deviation and redesign Districts 6 and 7, the affected districts were made marginally more compact in Jefferson and Tuscaloosa counties.

42. The court adopts a redistricting plan to be used in the conduct of congressional elections for the State of Alabama (to be called "The 1992 Alabama Redistricting Plan") in the event the Alabama Legislaure fails to have precleared a redistricting plan in time for the conduct of those elections without delay under applicable state and federal laws. The plan is verbally described in Appendix A to Professor Stanley's report dated January 22, 1992. (*See* Order, Doc. #97). Appendix B to that report is a map depicting the plan. The map is appended simply to illustrate the plan, and Appendix A shall control in the event of any conflict between it and Appendix B. Appendix C to that report includes certain statistical data which the court finds to be accurate, none of the parties having posed objections to that data in response to this court's order.

43. A motion pending seeks a stay of any order by this court adopting a plan pending preclearance. We have reserved ruling on the motion until now. We conclude that there is no requirement that the plan which we now adopt be precleared before it becomes operative.[8]

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[8] Section 5 of the Voting Rights Act, as amended, 42 U.S.C. § 1973c, requires a governmental body to obtain preclearance of a proposed plan either by securing a declaratory judgment from the United States District Court for the District of Columbia or by submitting the change to the Attorney General of the United States. As long as the Attorney General has not interposed an objection within sixty days after such submission, the state may enforce the change.

44. First, the plan that we now adopt is a "court decreed" plan. *Connor v. Johnson*, 402 U.S. 690 (1971). It is clear that a plan must be precleared only if it is a "legislative plan." *McDaniel v. Sanchez*, 452 U.S. 130, 137 (1981). "[T]he essential characteristic of a legislative plan is the exercise of legislative judgment . . . [that is], a proposal reflecting the policy choices of the elected representatives of the people . . . ." *Id.* at 152-53. *See also* 28 C.F.R. § 51.18 (1991) (stating that, in general, "changes affecting voting that are ordered by a federal court are subject to the preclearance requirements of section 5 to the extent that they reflect the policy choices of the submitting authority.").

The plan which this court adopts today is substantially the same as the plan offered by Plaintiff Wesch. Neither he, nor the party he is affiliated with, can claim to be exercising legislative judgment. We are certain that the Pierce Plan does not reflect the policy choices of the elected representative of the people. *Cf. McDaniel v. Sanchez*, 452 U.S. 130 (1981) (holding that a reapportionment plan submitted to a court by the *legislative body* of a covered jurisdiction was a legislative plan); *Campos v. City of Baytown, Texas*, 840 F.2d 1240 (5th Cir. 1988) (holding that plan proposed by *the city* was a legislative plan), *cert. denied*, 492 U.S. 905 (1989); *Farnum v. Burns*, 561 F. Supp. 83, 92 (D. R.I. 1983) (holding that plan drafted by a legislative consultant under the direction of the *legislative body* reflected the policy choices of the elected representative and was therefore a legislative plan).

45. Alternatively, it appears that the Legislature will not have a plan precleared in time to be in place for the April 3, 1992 qualifying deadline. For that reason, the situation calls for emergency action by this court. The Supreme Court acknowledged this exception to preclearance in *Upham v. Seamon*, 456 U.S. 37, 44 (1982):

> It is true that we have authorized District Courts to order or to permit elections to be held pursuant

> to apportionment plans that do not in all respects measure up to the legal requirements, even constitutional requirements. Necessity has been the motivating factor in these situations. (citations omitted).

The Court later reaffirmed this exception in *McDaniel v. Sanchez*, 452 U.S. 130, 153 n.35 (1981), noting the ample power of the district courts to fashion interim plans. *See also Burton v. Hobbie*, 561 F. Supp. at 1036 (recognizing the authority of a court to implement an interim plan so that an election can be held); 28 C.F.R. § 51.18 (c) (1991) (acknowledging a federal court's authority to approve a plan without preclearance: "A federal court's authorization of the emergency interim use without preclearance of a voting change does not exempt from section 5 review any use of the practice not explicitly authorized by the court.").

For the foregoing reasons, the Motion is Denied.

46. We find that, at a minimum, district lines should become fixed one week prior to the April 3, 1992 qualifying date for candidates to allow both candidates and election officials the necessary time to evaluate them and choose their future conduct accordingly.

CONCLUSION

Congressional redistricting is a state legislature's fundamental task, but it becomes a judicial duty when a legislature fails to adopt and preclear a plan after having adequate opportunity to do so.

At the time this opinion is released, it is reported, although evidence of such is not before the court, that the Alabama legislature has passed a redistricting plan. It is also reported that the plan has not received preclearance by the Attorney General of the United States under § 5 of the Voting Rights Act of 1965.

Since this court recognizes that congressional redistricting is properly a matter to be determined by the legisla-

ture and that the federal courts should intervene only if the legislature fails to act in a constitutional manner, the question arises: Why should the court not consider the legislature's belatedly adopted plan and, if it is found by the court to comply with constitutional and legal requirements, adopt this expression of the legislative will as the court's plan and order it into effect immediately? The answer is that this court has no legal authority to do so.

Section 5 of the Voting Rights Act requires a legislative plan to be submitted to the Attorney General for approval before it can be put into effect. The Attorney General has a period of 60 days to study the plan and express any objections he might have to it or to any of its provisions.

The Supreme Court has made clear that this requirement of the Voting Rights Act cannot be put aside by having a legislative plan approved by a federal district court (other than the U.S. District Court for the District of Columbia). *McDaniel v. Sanchez*, 452 U.S. at 130; *United States v. Board of Supervisors*, 429 U.S. 642 (1977).

Thus, if we adopted the reported legislative plan, it would still be subject to the preclearance requirement, which might well require postponement of the primaries. This we are unwilling to do.

It should be clearly understood that this court does not wish to compete with the state legislature as to where congressional district lines should be drawn. It is, however, our responsibility to ensure that the voters of this state have the opportunity to choose their members of Congress from constitutionally drawn districts when elections are held at the time set by state law.

If the plan reportedly adopted by the legislature should be precleared by some expedited method no later than 12:00 noon, Central Time, March 27, 1992, one week before the statutory deadline for candidates to qualify to run, as set out herein, then that plan will take effect and

those will be the congressional districts for the 1992 election. Otherwise, the legislature will have defaulted in its obligation to the people of the state and the plan described herein will take effect.

The plan adopted by this court shall become operative and controlling for the 1992 congressional elections. Additionally, it shall govern the conduct of congressional elections after 1992 unless and until the Legislature for the State of Alabama adopts a plan and has it precleared in time for such elections to proceed without delay under applicable law.

The court will by separate document enter judgment consistent with this opinion.

APPENDIX A

1990 Total Population
State of Alabama Congressional Districts

DB: Alabama

District Statistics
Total Populations, All Ages
Plan: Cong. Districts

Plan type: Congressional Districts

District Name	Number Members	Total Population	Ideal Population	District Variance
District 1	1	593,911	577,227	16,684
District 2	1	569,423	577,227	−7,804
District 3	1	565,135	577,227	−12,092
District 4	1	573,868	577,227	−3,359
District 5	1	603,726	577,227	26,499
District 6	1	532,748	577,227	−44,479
District 7	1	601,776	577,227	24,549

PLANWIDE STATISTICS:

Range of populations:	532,748 to 603,726
Ratio range:	1.1332
Absolute range:	−44,479 to 26,499
Absolute overall range:	70,978
Relative range:	−7.71 to 4.59%
Relative overall range:	12.30%
Absolute mean deviation:	19352.29
Relative mean deviation:	3.35%
Standard deviation:	23237.8677

APPENDIX B

DB: Alabama

District Summary
Total Populations, All Ages, with percents
Plan: Cong. Districts

Plan type: Congressional Districts

District Name	Total Pop.	Total White	Total Black	Total Am. Ind.	Total Asian/PI	Total Other
District 1	593,911	408,778	175,531	4,951	3,786	865
	100.00%	68.83%	29.56%	0.83%	0.64%	0.15%
District 2	569,423	381,279	182,021	1,593	3,285	1,245
	100.00%	66.96%	31.97%	0.28%	0.58%	0.22%
District 3	565,135	403,218	156,724	1,133	3,132	928
	100.00%	71.35%	27.73%	0.20%	0.55%	0.16%
District 4	573,868	530,503	40,004	1,647	1,063	651
	100.00%	92.44%	6.97%	0.29%	0.19%	0.11%
District 5	603,726	503,616	88,353	5,505	5,158	1,094
	100.00%	83.42%	14.63%	0.91%	0.85%	0.18%
District 6	532,748	331,711	196,872	730	2,936	499
	100.00%	62.26%	36.95%	0.14%	0.55%	0.09%
District 7	601,776	416,692	181,200	947	2,437	500
	100.00%	69.24%	30.11%	0.16%	0.40%	0.08%
Total	4,040,587	2,975,797	1,020,705	16,506	21,797	5,782
	100.00%	73.65%	25.26%	0.41%	0.54%	0.14%

DB: Alabama

District Summary
Total Populations, All Ages
Plan: Cong. Districts

Plan type: Congressional Districts

District Name	Total Pop.	Total White	Total Black	Total Am. Ind.	Total Asian/PI	Total Other
District 1	593,911	408,778	175,531	4,951	3,786	865
District 2	569,423	381,279	182,021	1,593	3,285	1,245
District 3	565,135	403,218	156,724	1,133	3,132	928
District 4	573,868	530,503	40,004	1,647	1,063	651
District 5	603,726	503,616	88,353	5,505	5,158	1,094
District 6	532,748	331,711	196,872	730	2,936	499
District 7	601,776	416,692	181,200	947	2,437	500

DB: Alabama

APPENDIX C

Attributes of Census Units
Within Alabama
Total Populations, All Ages

Census Unit	Total Pop.	Total White	Total Black	Total Am. Ind.	Total Asian/PI	Total Other
Autauga County	34,222	27,144	6,845	71	120	42
	100.00%	79.32%	20.00%	0.21%	0.35%	0.12%
Baldwin County	98,280	84,565	12,640	630	221	224
	100.00%	86.04%	12.86%	0.64%	0.22%	0.23%
Barbour County	25,417	14,118	11,194	46	44	15
	100.00%	55.55%	44.04%	0.18%	0.17%	0.06%
Bibb County	16,576	13,052	3,478	25	11	10
	100.00%	78.74%	20.98%	0.15%	0.07%	0.06%
Blount County	39,248	38,397	521	133	33	164
	100.00%	97.83%	1.33%	0.34%	0.08%	0.42%
Bullock County	11,042	3,036	7,986	8	10	2
	100.00%	27.50%	72.32%	0.07%	0.09%	0.02%
Butler County	21,892	13,049	8,798	24	19	2
	100.00%	59.61%	40.19%	0.11%	0.09%	0.01%
Calhoun County	116,034	92,873	21,578	296	869	418
	100.00%	80.04%	18.60%	0.26%	0.75%	0.36%
Chambers County	36,876	23,575	13,221	41	13	26
	100.00%	63.93%	35.85%	0.11%	0.04%	0.07%
Cherokee County	19,543	18,154	1,291	51	24	23
	100.00%	92.89%	6.61%	0.26%	0.12%	0.12%

Chilton County	32,458	28,647	3,674	63	38	36
	100.00%	88.26%	11.32%	0.19%	0.12%	0.11%
Choctaw County	16,018	8,913	7,077	10	12	6
	100.00%	55.64%	44.18%	0.06%	0.07%	0.04%
Clarke County	27,240	15,527	11,625	45	35	8
	100.00%	57.00%	42.68%	0.17%	0.13%	0.03%
Clay County	13,252	11,044	2,166	23	13	6
	100.00%	83.34%	16.34%	0.17%	0.10%	0.05%
Cleburne County	12,730	12,084	587	20	13	26
	100.00%	94.93%	4.61%	0.16%	0.10%	0.20%
Coffee County	40,240	32,702	6,917	163	317	141
	100.00%	81.27%	17.19%	0.41%	0.79%	0.35%
Colbert County	51,666	42,820	8,568	137	93	48
	100.00%	82.88%	16.58%	0.27%	0.18%	0.09%
Conecuh County	14,054	8,063	5,925	43	13	10
	100.00%	57.37%	42.16%	0.31%	0.09%	0.07%
Coosa County	11,063	7,242	3,782	34	4	1
	100.00%	65.46%	34.19%	0.31%	0.04%	0.01%
Covington County	36,478	31,551	4,777	72	48	30
	100.00%	86.49%	13.10%	0.20%	0.13%	0.08%
Crenshaw County	13,635	10,048	3,544	27	11	5
	100.00%	73.69%	25.99%	0.20%	0.08%	0.04%
Cullman County	67,613	66,744	560	134	117	58
	100.00%	98.71%	0.83%	0.20%	0.17%	0.09%
Dale County	49,633	39,365	8,847	239	731	451
	100.00%	79.31%	17.82%	0.48%	1.47%	0.91%

Census Unit	Total Pop.	Total White	Total Black	Total Am. Ind.	Total Asian/PI	Total Other
Dallas County	48,130	20,121	27,825	41	129	14
	100.00%	41.81%	57.81%	0.09%	0.27%	0.03%
DeKalb County	54,651	52,980	1,028	481	77	85
	100.00%	96.94%	1.88%	0.88%	0.14%	0.16%
Elmore County	49,210	37,850	11,039	137	129	55
	100.00%	76.92%	22.43%	0.28%	0.26%	0.11%
Escambia County	35,518	24,326	10,046	1,047	58	41
	100.00%	68.49%	28.28%	2.95%	0.16%	0.12%
Etowah County	99,840	85,274	13,799	250	419	98
	100.00%	85.41%	13.82%	0.25%	0.42%	0.10%
Fayette County	17,962	15,717	2,190	9	19	27
	100.00%	87.50%	12.19%	0.05%	0.11%	0.15%
Franklin County	27,814	26,463	1,249	57	35	10
	100.00%	95.14%	4.49%	0.20%	0.13%	0.04%
Geneva County	23,647	20,682	2,824	93	15	33
	100.00%	87.46%	11.94%	0.39%	0.06%	0.14%
Greene County	10,153	1,966	8,181	3	0	3
	100.00%	19.36%	80.58%	0.03%	0.00%	0.03%
Hale County	15,498	6,255	9,214	20	9	0
	100.00%	40.36%	59.45%	0.13%	0.06%	0.00%
Henry County	15,374	9,918	5,395	31	6	24
	100.00%	64.51%	35.09%	0.20%	0.04%	0.16%
Houston County	81,331	61,513	18,954	287	470	107
	100.00%	75.63%	23.30%	0.35%	0.58%	0.13%

Jackson County	47,796	44,696	1,968	1,020	90	22
	100.00%	93.51%	4.12%	2.13%	0.19%	0.05%
Jefferson County	651,525	418,317	228,521	889	3,222	576
	100.00%	64.21%	35.07%	0.14%	0.49%	0.09%
Lamar County	15,715	13,805	1,862	24	10	14
	100.00%	87.85%	11.85%	0.15%	0.06%	0.09%
Lauderdale County	79,661	71,560	7,695	165	196	45
	100.00%	89.83%	9.66%	0.21%	0.25%	0.06%
Lawrence County	31,513	24,563	4,798	2,124	19	9
	100.00%	77.95%	15.23%	6.74%	0.06%	0.03%
Lee County	87,146	64,889	20,407	132	1,584	134
	100.00%	74.46%	23.42%	0.15%	1.82%	0.15%
Limestone County	54,135	46,658	7,127	148	158	44
	100.00%	86.19%	13.17%	0.27%	0.29%	0.08%
Lowndes County	12,658	3,185	9,456	10	4	3
	100.00%	25.16%	74.70%	0.08%	0.03%	0.02%
Macon County	24,928	3,443	21,340	24	99	22
	100.00%	13.81%	85.61%	0.10%	0.40%	0.09%
Madison County	238,912	184,197	48,116	1,601	4,232	766
	100.00%	77.10%	20.14%	0.67%	1.77%	0.32%
Marengo County	23,084	11,314	11,745	11	11	3
	100.00%	49.01%	50.88%	0.05%	0.05%	0.01%
Marion County	29,830	28,759	967	57	35	12
	100.00%	96.41%	3.24%	0.19%	0.12%	0.04%
Marshall County	70,832	69,361	1,087	231	111	42
	100.00%	97.92%	1.53%	0.33%	0.16%	0.06%

Census Unit	Total Pop.	Total White	Total Black	Total Am. Ind.	Total Asian/PI	Total Other
Mobile County	378,643	254,853	117,872	1,940	3,398	580
	100.00%	67.31%	31.13%	0.51%	0.90%	0.15%
Monroe County	23,968	14,320	9,372	215	54	7
	100.00%	59.75%	39.10%	0.90%	0.23%	0.03%
Montgomery County	209,085	119,420	87,312	414	1,533	406
	100.00%	57.12%	41.76%	0.20%	0.73%	0.19%
Morgan County	100,043	89,122	10,081	310	370	160
	100.00%	89.08%	10.08%	0.31%	0.37%	0.16%
Perry County	12,759	4,503	8,219	16	14	7
	100.00%	35.29%	64.42%	0.13%	0.11%	0.05%
Pickens County	20,699	12,002	8,645	24	27	1
	100.00%	57.98%	41.77%	0.12%	0.13%	0.00%
Pike County	27,595	17,814	9,548	146	68	19
	100.00%	64.56%	34.60%	0.53%	0.25%	0.07%
Randolph County	19,881	15,138	4,686	29	21	7
	100.00%	76.14%	23.57%	0.15%	0.11%	0.04%
Russell County	46,860	28,473	18,088	90	117	92
	100.00%	60.76%	38.60%	0.19%	0.25%	0.20%
St. Clair County	50,009	45,138	4,561	136	77	97
	100.00%	90.26%	9.12%	0.27%	0.15%	0.19%
Shelby County	99,358	90,715	7,718	264	575	86
	100.00%	91.30%	7.77%	0.27%	0.58%	0.09%
Sumter County	16,174	4,759	11,369	6	30	10
	100.00%	29.42%	70.29%	0.04%	0.19%	0.06%

Talladega County	74,107	50,970	22,773	174	113	77
	100.00%	68.78%	30.73%	0.23%	0.15%	0.10%
Tallapoosa County	38,826	28,493	10,212	62	37	22
	100.00%	73.39%	26.30%	0.16%	0.10%	0.06%
Tuscaloosa County	150,522	109,398	39,377	253	1,264	230
	100.00%	72.68%	26.16%	0.17%	0.84%	0.15%
Walker County	67,670	63,042	4,405	84	107	32
	100.00%	93.16%	6.51%	0.12%	0.16%	0.05%
Washington County	16,694	10,984	4,623	1,068	14	5
	100.00%	65.80%	27.69%	6.40%	0.08%	0.03%
Wilcox County	13,568	4,203	9,353	6	6	0
	100.00%	30.98%	68.93%	0.04%	0.04%	0.00%
Winston County	22,053	21,925	57	42	26	3
	100.00%	99.42%	0.26%	0.19%	0.12%	0.01%
Total Alabama	4,040,587	2,975,797	1,020,705	16,506	21,797	5,782
	100.00%	73.65%	25.26%	0.41%	0.54%	0.14%

DB: Alabama

APPENDIX D

Attributes of Census Units Within Alabama
Ethnic Breakdown of Voting Age Populations

Census Unit	Total Vot. Age	Vot. Age White	Vot. Age Black	Vot. Age Am. Ind.	Vot. Age Asian/PI	Vot. Age Other
Autauga County	24,124	19,593	4,366	48	90	27
	70.49%	57.25%	12.76%	0.14%	0.26%	0.08%
Baldwin County	72,747	64,059	7,938	459	159	132
	74.02%	65.18%	8.08%	0.47%	0.16%	0.13%
Barbour County	17,953	10,744	7,130	36	30	13
	70.63%	42.27%	28.05%	0.14%	0.12%	0.05%
Bibb County	11,783	9,617	2,138	16	8	4
	71.08%	58.02%	12.90%	0.10%	0.05%	0.02%
Blount County	29,212	28,615	366	94	24	113
	74.43%	72.91%	0.93%	0.24%	0.06%	0.29%
Bullock County	7,661	2,513	5,131	7	8	2
	69.38%	22.76%	46.47%	0.06%	0.07%	0.02%
Butler County	15,301	9,919	5,357	15	9	1
	69.89%	45.31%	24.47%	0.07%	0.04%	0.00%
Calhoun County	75.03%	61.38%	12.67%	241	603	293
	87,056	71,217	14,702	0.21%	0.52%	0.25%
Chambers County	27,244	18,499	8,685	30	10	20
	73.88%	50.17%	23.55%	0.08%	0.03%	0.05%
Cherokee County	14,851	13,881	898	39	18	15
	75.99%	71.03%	4.59%	0.20%	0.09%	0.08%

Chilton County	23,771	21,320	2,361	47	24	19
	73.24%	65.68%	7.27%	0.14%	0.07%	0.06%
Choctaw County	11,310	6,700	4,592	7	8	3
	70.61%	41.83%	28.67%	0.04%	0.05%	0.02%
Clarke County	19,085	11,684	7,346	29	22	4
	70.06%	42.89%	26.97%	0.11%	0.08%	0.01%
Clay County	9,934	8,497	1,407	16	10	4
	74.96%	64.12%	10.62%	0.12%	0.08%	0.03%
Cleburne County	9,418	8,983	388	15	11	21
	73.98%	70.57%	3.05%	0.12%	0.09%	0.16%
Coffee County	29,913	24,882	4,577	118	234	102
	74.34%	61.83%	11.37%	0.29%	0.58%	0.25%
Colbert County	39,118	33,112	5,825	96	54	31
	75.71%	64.09%	11.27%	0.19%	0.10%	0.06%
Conecuh County	10,136	6,278	3,815	27	11	5
	72.12%	44.67%	27.15%	0.19%	0.08%	0.04%
Coosa County	8,181	5,579	2,576	21	4	1
	73.95%	50.43%	23.28%	0.19%	0.04%	0.01%
Covington County	27,241	24,039	3,086	56	32	28
	74.68%	65.90%	8.46%	0.15%	0.09%	0.08%
Crenshaw County	9,991	7,613	2,345	22	7	4
	73.27%	55.83%	17.20%	0.16%	0.05%	0.03%
Cullman County	50,601	49,994	386	98	80	43
	74.84%	73.94%	0.57%	0.14%	0.12%	0.06%
Dale County	35,757	29,228	5,529	184	518	298
	72.04%	58.89%	11.14%	0.37%	1.04%	0.60%

Census Unit	Total Vot. Age	Vot. Age White	Vot. Age Black	Vot. Age Am. Ind.	Vot. Age Asian/PI	Vot. Age Other
Dallas County	33,025	15,449	17,445	32	91	8
	68.62%	32.10%	36.25%	0.07%	0.19%	0.02%
DeKalb County	40,744	39,666	694	283	43	58
	74.55%	72.58%	1.27%	0.52%	0.08%	0.11%
Elmore County	36,418	28,496	7,696	105	87	34
	74.01%	57.91%	15.64%	0.21%	0.18%	0.07%
Escambia County	26,051	18,450	6,840	703	32	26
	73.35%	51.95%	19.26%	1.98%	0.09%	0.07%
Etowah County	75,251	65,349	9,299	182	353	68
	75.37%	65.45%	9.31%	0.18%	0.35%	0.07%
Fayette County	13,360	11,801	1,523	6	11	19
	74.38%	65.70%	8.48%	0.03%	0.06%	0.11%
Franklin County	20,910	19,978	867	39	19	7
	75.18%	71.83%	3.12%	0.14%	0.07%	0.03%
Geneva County	17,757	15,821	1,837	71	12	16
	75.09%	66.90%	7.77%	0.30%	0.05%	0.07%
Greene County	6,811	1,641	5,165	3	0	2
	67.08%	16.16%	50.87%	0.03%	0.00%	0.02%
Hale County	10,616	4,772	5,829	11	4	
	68.50%	30.79%	37.61%	0.07%	0.03%	0.00%
Henry County	11,273	7,667	3,561	24	6	15
	73.33%	49.87%	23.16%	0.16%	0.04%	0.10%
Houston County	58,858	46,249	12,041	214	288	66
	72.37%	56.87%	14.80%	0.26%	0.35%	0.08%

Jackson County	35,482 74.24%	33,503 70.10%	1,342 2.81%	563 1.18%	57 0.12%	17 0.04%
Jefferson County	488,937 75.05%	328,268 50.38%	157,208 24.13%	697 0.11%	2,359 0.36%	405 0.06%
Lamar County	11,725 74.61%	10,434 66.40%	1,253 7.97%	17 0.11%	10 0.06%	11 0.07%
Lauderdale County	60,580 76.05%	55,008 69.05%	5,275 6.62%	128 0.16%	137 0.17%	32 0.04%
Lawrence County	22,874 72.59%	18,702 59.35%	3,095 9.82%	1,061 3.37%	12 0.04%	4 0.01%
Lee County	68,058 78.10%	52,769 60.55%	13,846 15.89%	108 0.12%	1,226 1.41%	109 0.13%
Limestone County	40,529 74.87%	35,087 64.81%	5,197 9.60%	113 0.21%	101 0.19%	31 0.06%
Lowndes County	8,263 65.28%	2,513 19.85%	5,742 45.36%	4 0.03%	3 0.02%	1 0.01%
Macon County	18,286 73.36%	2,780 11.15%	15,397 61.77%	18 0.07%	74 0.30%	17 0.07%
Madison County	180,157 75.41%	142,174 59.51%	33,542 14.04%	945 0.40%	2,999 1.26%	497 0.21%
Marengo County	16,091 69.71%	8,524 36.93%	7,550 32.71%	10 0.04%	7 0.03%	0.00%
Marion County	22,508 75.45%	21,733 72.86%	712 2.39%	33 0.11%	23 0.08%	7 0.02%
Marshall County	53,366 75.34%	52,343 73.90%	766 1.08%	161 0.23%	76 0.11%	20 0.03%

Census Unit	Total Vot. Age	Vot. Age White	Vot. Age Black	Vot. Age Am. Ind.	Vot. Age Asian/PI	Vot. Age Other
Mobile County	270,610	190,842	75,791	1,286	2,279	412
	71.47%	50.40%	20.02%	0.34%	0.60%	0.11%
Monroe County	16,590	10,597	5,806	152	31	4
	69.22%	44.21%	24.22%	0.63%	0.13%	0.02%
Montgomery County	151,701	92,603	57,450	303	1,072	273
	72.55%	44.29%	27.48%	0.14%	0.51%	0.13%
Morgan County	74,027	66,930	6,538	208	244	107
	74.00%	66.90%	6.54%	0.21%	0.24%	0.11%
Perry County	8,757	3,719	5,009	9	14	6
	68.63%	29.15%	39.26%	0.07%	0.11%	0.05%
Pickens County	14,805	9,369	5,401	17	17	1
	71.53%	45.26%	26.09%	0.08%	0.08%	0.00%
Pike County	20,729	14,208	6,348	92	63	18
	75.12%	51.49%	23.00%	0.33%	0.23%	0.07%
Randolph County	14,696	11,650	3,012	19	12	3
	73.92%	58.60%	15.15%	0.10%	0.06%	0.02%
Russell County	34,380	21,762	12,396	67	95	60
	73.37%	46.44%	26.45%	0.14%	0.20%	0.13%
St. Clair County	36,699	33,259	3,230	106	51	53
	73.38%	66.51%	6.46%	0.21%	0.10%	0.11%
Shelby County	72,167	66,406	5,147	179	379	56
	72.63%	66.84%	5.18%	0.18%	0.38%	0.06%
Sumter County	11,202	3,869	7,291	5	28	9
	69.26%	23.92%	45.08%	0.03%	0.17%	0.06%

Talladega County	53,614	38,551	14,805	129	79	50
	72.35%	52.02%	19.98%	0.17%	0.11%	0.07%
Tallapoosa County	28,899	22,100	6,718	41	25	15
	74.43%	56.92%	17.30%	0.11%	0.06%	0.04%
Tuscaloosa County	114,857	86,831	26,623	195	1,022	186
	76.31%	57.69%	17.69%	0.13%	0.68%	0.12%
Walker County	50,560	47,546	2,847	67	79	21
	74.72%	70.26%	4.21%	0.10%	0.12%	0.03%
Washington County	11,611	8,033	2,916	645	12	5
	69.55%	48.12%	17.47%	3.86%	0.07%	0.03%
Wilcox County	8,956	3,297	5,649	6	4	
	66.01%	24.30%	41.63%	0.04%	0.03%	0.00%
Winston County	16,621	16,530	38	31	19	3
	75.37%	74.96%	0.17%	0.14%	0.09%	0.01%
Total Alabama	2,981,799	2,273,845	677,681	10,809	15,529	3,935
	73.80%	56.28%	16.77%	0.27%	0.38%	0.10%

APPENDIX E

District	Name/Address	Census Residence
1	Sonny Callahan (R) 3251 Riviere Du Chien Drive Mobile, AL	Mobile County Tract 20 Block 231 Voting District #0360
	FIRST ELECTED: NOVEMBER, 1984	
2	Bill Dickinson (R) 2350 Woodley Road Montgomery, AL	Montgomery County Tract 20 Block 311 Voting District #0180
	FIRST ELECTED: NOVEMBER, 1964	
3	Glen Browder (D) 517 Pelham Street, North Jacksonville, AL	Calhoun County Tract 21 Block 510 Voting District #0010
	FIRST ELECTED: APRIL, 1989	
4	Tom Bevill (D) 1600 Alabama Avenue Jasper, AL	Walker County Tract 203 Block 173 Voting District #0010
	FIRST ELECTED: NOVEMBER, 1989	
5	Bud Cramer (D) 417 Eustis Street Huntsville, AL	Madison County Tract 1 Block 234 Voting District #0060
	FIRST ELECTED: NOVEMBER, 1982	
6	Ben Erdreich (D) 2625 Highland Avenue, South Birmingham, AL	Jefferson County Tract 47.01 Block 723 Voting District #5408
	FIRST ELECTED: NOVEMBER, 1982	
7	Clause Harris (D) 3121 Azalea Lane East (41st Avenue) Tuscaloosa, AL	Tuscaloosa County Tract 123.01 Block 143 Voting District #0160
	FIRST ELECTED: NOVEMBER, 1986	

Hand, Senior District Judge, concurring in judgment:

I concur in the Judgment and Order of the Court for the reasons expressed therein, except as noted below, but I write separately to emphasize a point which the opinion does not address as squarely as I feel it should. Accepting as fact the statements contained in the stipulation of the parties that this State has a substantial African-American minority that is relatively geographically compact so as to comprise a minority district which complies with the population equality requirement of *Karcher v. Daggett*, 462 U.S. 725 (1983), and no evidence or argument being presented that the establishment of such a district would violate any requirement of the law, I agree with the decision to accept the parties' joint request for the creation of such a district as a remedy and as a remedy only. In so doing, my concurrence should in no way be considered as an agreement that such a result is constitutionally mandated. It simply is not.

Those in high and low places who advocate racial gerrymandering to create African-American congressional districts would do well to remember the reasoned dissents of the first Mr. Justice Harlan wherein he stated in *Plessy v. Ferguson*: "There is no caste here. Our Constitution is color-blind, and neither knows nor tolerates classes among citizens." 163 U.S. 537, 558 (1895); and of Mr. Justice William O. Douglas who later addressed this point with an equally persuasive dissent in *Wright v. Rockefeller*, 376 U.S. 52; 59-67 (1964):

> Here no Negroes are deprived of the franchise. Rather, zigzag tortuous lines are drawn to concentrate Negroes and Puerto Ricans into Manhattan's Eighteenth Congressional District and practically to exclude them from the Seventeenth Congressional District.
>
> . . .
>
> The intervenors are persons who apparently have a vested interest in control of the segregated Eighteenth

District. [footnote #4: Adam Clayton Powell has represented the Eighteenth District in Congress since 1945] They and the State seem to support this segregation not on the "separate but equal" theory of Plessy v. Ferguson but on another theory. Their theory might be called the theory of "separate but better off"—a theory that has been used before.

. . .

Here the individual is important, not his race, his creed, or his color. The principle of equality is at war with the notion that District A must be represented by a Negro, as it is with the notion that District B must be represented by a Caucasian, District C by a Jew, District D by a Catholic, and so on. . . . That system, by whatever name it is called, is a divisive force in a community, emphasizing differences between candidates and voters that are irrelevant in the constitutional sense. Of course race, like religion, plays an important role in the choices which individual voters make from among various candidates. [footnote omitted]. But government has no business designing electoral districts along racial or religious lines.

. . .

When racial or religious lines are drawn by the State, the multiracial, multireligious communities that our Constitution seeks to weld together as one becomes separatist; antagonisms that relate to race or to religion rather than to political issues are generated; communities seek not the best representative but the best racial or religious partisan. Since that system is at war with the democratic ideal, it should find no footing here.

"Separate but equal" and "separate but better off" have no more place in voting districts than they have in schools, parks, railroad terminals, or any other facility serving the public.

As I perceive it, the chief danger, which these Justices recognized and so eloquently articulated, is judicial and legislative ghettoizing of the vote. The resulting balkanization is antithetical to the American dream, and I do not wish to be associated with any such action or effort, thus I write separately to this point.

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

Civil Action No. 91-0787

PAUL CHARLES WESCH,

Plaintiff

vs.

MICHAEL FIGURES, ET AL.,

Intervenor-Plaintiffs,

vs.

GUY HUNT, ET AL.,

Defendants.

MOTION OF INTERVENOR-PLAINTIFFS TO MODIFY COURT-ORDERED PLAN IN ACCORDANCE WITH SECTION 5 OBJECTION OF ATTORNEY GENERAL

[Filed March 27, 1992]

COME NOW Intervenor-Plaintiffs, by and through counsel, and pursuant to Rule 60 of the Federal Rules of Civil Procedure, bring this motion to modify this Court's plan for the Alabama congressional districts so as to cure the Section 5 objection entered by the Attorney General of the United States, showing this Honorable Court the following:

1. On March 9, 1992, this Court entered a Memorandum Opinion and Final Judgment, enjoining Defendants from failing to conduct congressional elections in accordance with a redistricting plan adopted by this Court, unless a plan adopted by the Alabama legislature was precleared not later than 12:00 noon, Central Time, on March 27, 1992;

2. On March 27, 1992, the Attorney General of the United States, pursuant to his authority under Section 5 of the Voting ***

congressional reapportionment plan enacted by the Alabama legislature. A copy of that letter of objection is attached hereto as Exhibit "A".

3. The basis of the Attorney General's objection to the congressional reapportionment plan is the state's failure to create two majority black congressional districts;

4. The plan adopted by this court in its March 9, 1992 order has only one majority black congressional district, and therefore, suffers from the same legal defect as the plan enacted by the Alabama legislature;

5. Under law established by the United States Supreme Court, a court-ordered remedial plan must fully cure not only constitutional violations, but also violations of Section 5 of the Viting Rights Act;

6. This Section 5 violation was established by the Attorney General's objection letter of March 27, 1992, and therefore, despite due diligence, could not have formed the basis for a motion to alter or amend the judgment under Rule 5 (a). However, the object substantially changes the nature of the violation whichthis Court has sought to cure, such that it is no longer equitable that the judgment as entered should be given effect;

7. Intervenor-Plaintiffs have moved expeditiously to bring

this new evidence before the Court, and the parties will not be prejudiced by this limited modification of the March 9th order;

8. Alternative plans which create two majority black congressional districts are readily available, and can be adopted by this Court without serious disruption to the upcoming election schedule;

9. The qualifying deadline for the June 2, 1992, primary was extended by the State of Alabama from April 3, 1992, until May 1, 1992, affording ample time for this Court to adopt the necessary modifications to cure the current Section 5 violation.

This change in the qualifying deadline was precleared by the Justice Department on March 27, 1992. See Exhibit "A" attached hereto.

10. A memorandum of law in support of this motion is filed herewith.

WHEREFORE, for the foregoing reasons, Intervenor-Plaintiffs respectfully request that this Court:

(a) schedule this matter for an immediate hearing before the three-judge panel;

(b) reopen the record in this case to consider the objection entered by the United States Attorney General;

(c) modify its plan for congressional reapportionment, to cure the existing violation of Section 5 of the Voting Rights Act so that the upcoming congressional elections can be held under a racially fair plan;

(d) grant all such other and further relief as this Honorable Court deems just and proper.

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IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

Civil Action No. 91-0787

PAUL CHARLES WESCH,

Plaintiff

vs.

MICHAEL FIGURES, ET AL.,

Intervenor-Plaintiffs,

vs.

GUY HUNT, ET AL.,

Defendants.

MEMORANDUM OF LAW IN SUPPORT OF MOTION OF INTERVENOR-PLAINTIFFS TO MODIFY COURT-ORDERED PLAN

On March 5, 1992, the Alabama legislature adopted a congressional reapportionment plan, which created one majority black congressional district. The plan was submitted to the Department of Justice shortly thereafter.

On March 9, 1992, this Court entered an opinion and judgment, adopting a congressional plan which had one majority black congressional district, and ordered that the plan would go into effect at noon, Central Time, on March 27, 1992 unless the State of Alabama had received preclearance of its legislative plan on or before that date.

On March 27, 1992, the Attorney General of the United States entered an objection to the state's reapportionment plan, finding that the failure to create a second majority black congressional district resulted in dilution of black voting strength, in violation of Section 5 of the Voting Rights Act, 42 U.S.C. 1973c.

Accordingly, Intervenor-Plaintiffs bring this motion, asking the Court to modify its remedial plan of March 9, 1992 to cure the newly established violation of Section 5.

ARGUMENT AND CITATION OF AUTHORITIES

The Federal Rules of Civil Procedure

Permit the Requested Modification

Rule 60 of the Federal Rules of Civil Procedure provides in relevant part:

> *Rule 60. RELIEF FROM JUDGMENT OR ORDER*
>
> (b) . . . On motion and upon such terms as are just, the court may relieve a party or a party's legal representation from a final judgment, order or proceeding for the following reasons;
>
> (5) . . . a prior judgment upon which it is based has been reversed or otherwise vacated, or it is no longer equitable that the judgment should have prospective application; or
>
> (6) any other reason justifying relief from the operation of the judgment.
>
> The motion shall be made within a reasonable time . . .

The instant circumstances fall squarely within the scope of this rule. Here, the factual and legal foundation upon which this Court entered its remedial order of March 9, 1992 have been altered by virtue of the finding by the Attorney General of the United States that a plan which does not contain two majority black congressional districts violates Section 5 of the Voting Rights Act. Given the Court's duty (as discussed below) to cure all constitutional and statutory defects in ordering an interim reapportionment plan, implementation of the plan as ordered on March 9th would be inequitable, and result in serious prejudice to the rights of Intervenor-Plaintiffs to a racially fair reapportionment plan.

A Court's Remedial Plan Must Care All Constitutional And Statutory Violations, Including Violations of Section 5

It is by now well-established that "Redistricting and reapportioning legislative bodies is a legislative task which the federal courts should make every effort not to pre-empt. *Connor v. Finch*, 431 U.S. 407 (1977); *Chapman v. Meirer*, 420 U.S. 1 (1975). However, "when those with legislative responsibilities do not respond, or the imminence of a state election makes it impractical for them to do so, it becomes the "unwelcome obligation . . . of the federal court to devise and impose a reapportionment plan pending later legislative action." *Wise v. Lipscomb*, 437 U.S. 535, 540 (1978).

In discharging this duty, a district court "will be held to stricter standards . . . than will a state legislature." *Id.*, citing *Connor v. Finch, supra*. This is true because "the court's task is inevitably an exposed and sensitive one that must be accomplished circumspectly." *Chapman v. Meier*, 420 U.S. 1, 26 (1975).

A court-ordered plan must both "achieve the goal of population equality with little more than *de minimis* variation," *Id.*, at 21, and be "free from any taint of arbitrariness or discrimination." *Connor v. Finch*, 431 U.S. at 415, quoting from *Roman v. Sincock*, 377 U.S. 695, 710 (1964), including "special standards . . . of racial fairness, "*Upham v. Seamon*, 456 U.S. 37, 39 (1982). While interim "[p]lans imposed by court order are not subject to the requirements of Section 5 of the Voting Rights Act of 1965 . . .," *Wise v. Lipscomb*, 437 U.S. at 542, the district court, like the state legislature, may not implement a plan which has known constitutional or statutory defects. The court's reapportionment plan *must* cure all *established* defects, including both violations of Section 2 of the Voting Rights Act, *Edge v. Sumter County School District*, 773 F.2d 1509, 1510 (11th Cir. 1985) ("the district court could not validly adopt a reapportionment plan without determining whether the plan complied with Section 2 of the Voting Rights Act"); *Jordan v. Winter*, 541 F. Supp. 1135 (N.D. Miss., 1982), *vacated and remanded, sub nom. Brooks V. Winter*, 461 U.S. 921 (1983) and violations of the "purpose or effect" standards of Section 5 of the Voting Rights Act. *Upham v. Seamon*, 56 U.S. 37

(1982); *McDaniel v. Sanchez*, 452 U.S. 130, 148-49 (1981) ("in fashioning the plan [under exigent circumstances], the court should follow the appropriate Section 5 standards, including the body of administrative and judicial precedents developed in Section 5 cases," quoting S. Rep. No. 94-295, 94th Cong., 1st Sess., 18-19 (1975)). *See also, Graham v. State of South Carolina*, Civ. No. 3:84-1430-15 (D.S.C. July 31, 1984), slip op. at 20 ("we . . . are required in fashioning this interim plan to follow the appropriate Section 5 standards").

Here, the State of Alabama adopted a reapportionment plan which is similar to that ordered by this Court in its March 9, 1992 opinion. That plan, like the court's plan, has only one majority black congressional district. The Attorney General, by letter dated March 27, 1992, made a finding that the state's plan violates Section 5 of the Voting Rights Act because it failed to create *two* majority black congressional districts, thereby submerging the voting potential of the state's minority population. Accordingly, this Court must now modify its own remedial plan to cure this newly established statutory violation, and to fulfill its obligation to implement a racially fair plan.

While Intervenor-Plaintiffs are mindful of the fact that qualifying is now scheduled to close on May 1, 1992, they respectfully submit that it is possible to make the necessary modifications in time to proceed with the established timetable. There is still over a month before the qualifying period ends, which should be adequate time to modify the plan to conform with the requirements of Section 5. There is at least one plan already before the Court "Hilliard Two District Plan With Zero Deviations") which would cure the Attorney General's objection, and a second alternative plan which creates two majority black districts, at approximately 65% and 55% black population, respectfully, will be tendered to the Court not later than Monday, March, 30, 1992.

CONCLUSION

For the foregoing reasons and on the foregoing authority, Intervenor-Plaintiffs respectfully request that this Honorable Court immediately reconvene and modify its order of March 9, 1992, so as to cure the violations of Section 5 established by the Attorney General's objection letter.

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CERTIFICATE OF SERVICE

This is to certify that I have this 27th day of March, 1992 served a copy of the foregoing pleading on each of the following by depositing same in a properly addressed envelope with adequate postage thereon:

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The Honorable Harry
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Probate Judge
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Bay Minette, AL 36507

The Honorable Devon
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Probate Judge
Escambia County Courthouse
318 Belleville Ave.
Brewton, AL 36426

The Hon. Otha Lee Biggs
Probate Judge
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ATTORNEY FOR
PLAINTIFF-INTERVENORS

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

Civil Action No. 91-0787

PAUL CHARLES WESCH,

Plaintiff

vs.

MICHAEL FIGURES, ET AL.,

Intervenor-Plaintiffs,

vs.

GUY HUNT, ET AL.,

Defendants.

ORDER

[April 2, 1992]

Before COX, Circuit Judge, HAND, Senior District Judge, and ALBRITTON, District Judge.

BY THE COURT

The Fed. R. Civ. P. 60 motion of Intervenor-Plaintiffs to modify the court-ordered plan (being the motion filed on March 27, 1992) is DENIED.

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

Civil Action No. 91-0787

PAUL CHARLES WESCH,

Plaintiff

vs.

MICHAEL FIGURES, ET AL.,

Intervenor-Plaintiffs,

vs.

GUY HUNT, ET AL.,

Defendants.

MOTION OF INTERVENOR-PLAINTIFFS TO SUPPLEMENT THE RECORD

COME NOW the Intervenor-Plaintiffs, by and through counsel, and bring this motion to supplement the record in this case, by filing:

1. a plan for reapportionment of Alabama's Congressional districts which creates two majority black districts (Exhibit A), one at 65% black population and the second at 56% black population;

2. the Congressional reapportionment plan adopted by the Alabama General Assembly, and rejected by the Department of Justice on March 27, 1992 (Exhibit B);

3. the Declaration of Antonio Harrison (Exhibit C); and

4. the Declaration of Selwin Carter, author of the plan creating two majority black districts (Exhibit D).

A brief in support of this motion is attached hereto.

This 30th day of April, 1992.

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IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

Civil Action No. 91-0787

PAUL CHARLES WESCH,

Plaintiff

vs.

MICHAEL FIGURES, ET AL.,

Intervenor-Plaintiffs,

vs.

GUY HUNT, ET AL.,

Defendants.

MEMORANDUM OF LAW IN SUPPORT OF MOTION OF INTERVENOR-PLAINTIFFS TO SUPPLEMENT THE RECORD

On March 5, 1992, the Alabama legislature adopted a congressional reapportionment plan, which created one majority black congressional district (see Exhibit B). The plan was submitted to the Department of Justice shortly thereafter.

On March 9, 1992, this Court entered an opinion and judgment, adopting a congressional plan which had one majority black congressional district, and ordered that the plan would go into effect at noon, Central Time, on March 27, 1992 unless the State of Alabama had received preclearance of its legislative plan on or before that date.

On March 27, 1992, the Attorney General of the United States entered an objection to the State's reapportionment plan, finding that the failure to create a second majority black congressional district resulted in dilution of black voting strength, in violation of Section 5 of the Voting Rights Act, 42 U.S.C. 1973c. That same day, Intervenor-Plaintiffs filed a motion with this court, asking it to modify its remedial plan of March 9, 1992 so as to cure the newly established violation of Section 5, and to hold a hearing at which

Intervenor-Plaintiffs could offer evidence concerning the manner in which the court could cure that violation.

On April 2, 1992, before Intervenor-Plaintiffs were able to file a proposed new reapportionment plan with this court[1] and without holding a hearing, this court summarily denied the motion to modify the remedial plan. On April 8, 1992, Intervenor-Plaintiffs filed a Notice of Appeal of that order, as well as the underlying judgment.

Plaintiff-Intervenors bring this motion to supplement the record so that the evidence that would have been offered in support of the Motion to Modify, had a hearing been held as requested, will be part of the record in the pending appeal. This evidence consists of the proposed remedial plan (Exhibit A), the plan adopted by the Alabama General Assembly and rejected by the Justice Departments (Exhibit B), together with two supporting declarations (Exhibits C and D).

ARGUMENT AND CITATION OF AUTHORITIES

On March 27, 1992, Intervenor-Plaintiffs filed a Motion to Modify Court-Ordered Plan, pursuant to Rule 60 of the Federal Rules of Civil Procedure, based upon the objection entered by the Attorney General of the United States on March 27, 1992, requiring the creation of two majority black Congressional districts. That objection, Plaintiff-Intervenors contends, constituted a "change in conditions that makes continued enforcement [of the court-ordered plan] inequitable," Wright & Miller, Federal Practice and

---

[1]While the basic outlines for the two majority black districts in this plan have been known for some time, there have been ongoing problems in generating (and printing) the plan itself from the computer. These data problems have also occurred on the State's computer system, and appear to be related to the complexity of the census data base for the state. It is for this reason that the plan was not filed with the court prior to the denial of Intervenor-Plaintiffs' Motion to Modify Court-Ordered Plan, and why the plan is now being offered into the record.

Procedure, Civil Section 2864 (1973), and required this court to modify its Congressional plan to cure the Section 5 violation.

While that motion has been summarily denied, Intervenor-Plaintiffs wish to enter into the record the evidence which would have been presented in support of the Motion to Modify, had the requested hearing been held. This evidence demonstrates that: (1) the court-ordered plan has the same defects as that adopted by the Alabama General Assembly and rejected by the Attorney General; (2) both plans impermissibly fragment black voting strength, in violation of the Voting Rights Act, 42 U.S.C. 3601, et seq.; and (3) there are plans in existence and available to this court which would remedy the Section 5 violations in the court-ordered reapportionment plan, by creating two majority black Congressional districts in the State of Alabama.

Intervenor-Plaintiffs respectfully submit that it is in the interest of justice that this motion be granted, and that given the very limited nature of the supplemental evidence, no harm to any of the other parties hereto will result from granting this motion. This court has the power to allow this supplementation in furtherance of the "historic power of a court of equity to modify its decree in light of changed circumstances." Wright & Miller, Federal Practice and Procedure, Civil Sec. 2863; *United States v. Swift*, 286 U.S. 106 (1932). *See also* Rule 60(b)(5), F.R.Civ.P., which was the foundation for Intervenor-Plaintiffs' underlying Motion to Modify Court-Ordered Plan.

CONCLUSION

For the foregoing reasons, Intervenor-Plaintiffs respectfully request that the record in this case be supplemented to include the plans and declarations tendered herewith.

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PROPOSED REAPPORTIONMENT PLAN

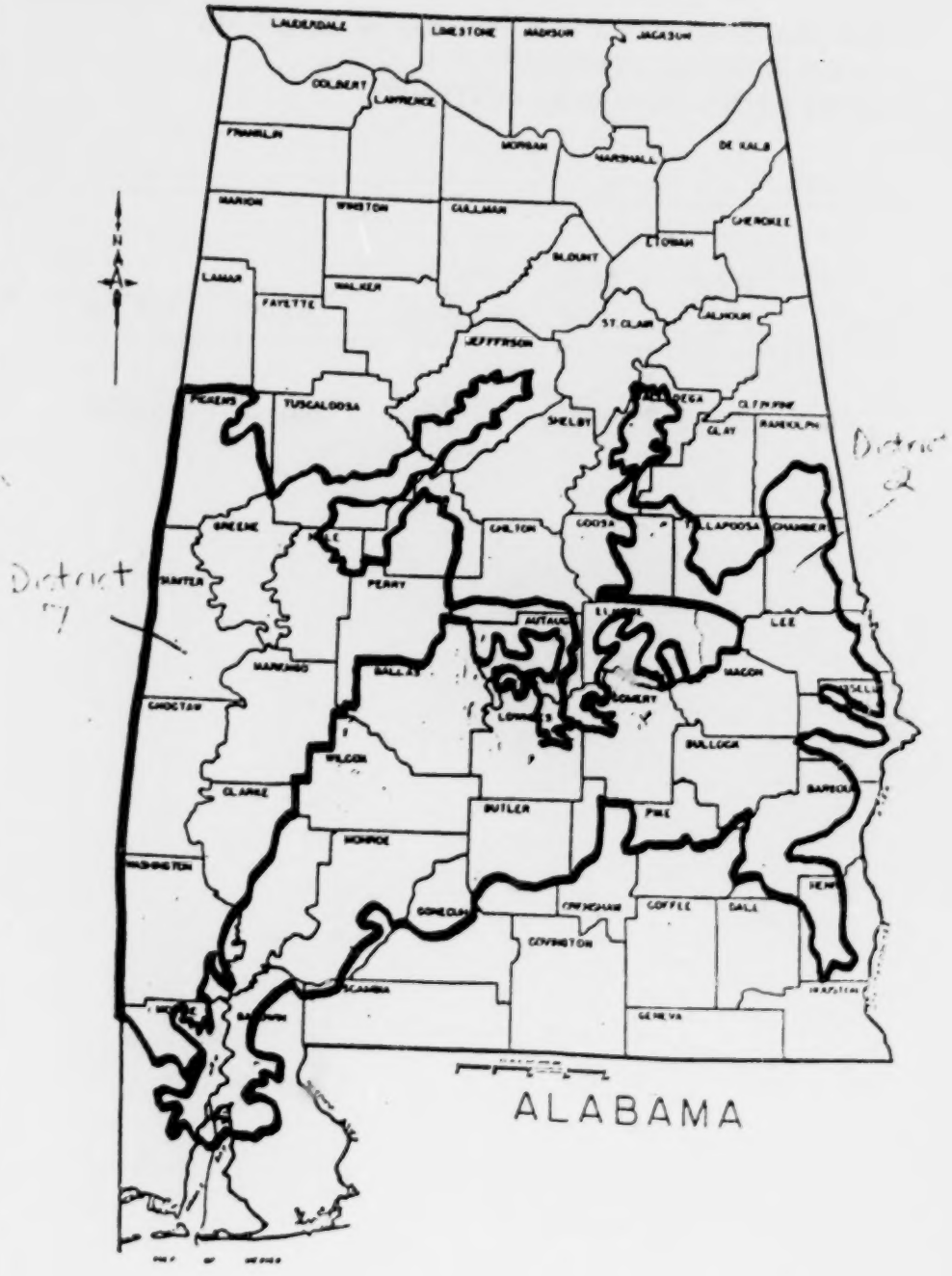
FOR ALABAMA CONGRESSIONAL DISTRICTS

CREATING TWO MAJORITY

BLACK DISTRICTS

(One at 65% BPOP, 2nd at 56% BPOP)

EXHIBIT A


LAUDERDALE
LIMESTONE
MADISON
JACKSON
COLBERT
LAWRENCE
FRANKLIN
MORGAN
MARSHALL
DE KALB
MARION
WINSTON
CULLMAN
CHEROKEE
BLOUNT
ETOWAH
LAMAR
WALKER
FAYETTE
ST CLAIR
CALHOUN
JEFFERSON
PICKENS
TUSCALOOSA
SHELBY
CLEBURNE
RANDOLPH
CLAY
GREENE
CHILTON
COOSA
TALLAPOOSA
CHAMBERS
HUNTER
PERRY
AUTAUGA
LEE
MARENGO
DALLAS
MACON
CHOCTAW
LOWNDES
MONTGOMERY
WILCOX
BULLOCK
CLARKE
BUTLER
PIKE
BARBOUR
MONROE
WASHINGTON
CONECUH
COFFEE
DALE
COVINGTON
ESCAMBIA
GENEVA
ALABAMA
District 7
District 2

DEMOGRAPHIC DATA FOR PROPOSED ALABAMA CONGRESSIONAL DISTRICTS
COUNTY POPULATION BY DISTRICT

Dist.	Total Pop.	Ideal Size	% Deviation	White	% White
2	577233	577227	0.00	199330	34.53

Continued

Black	%Black	Total VAP	White VAP	%White VAP	Black VAP	%Black VAP
375048	64.97	400940	154805	38.61	244106	60.88

DEMOGRAPHIC DATA FOR PROPOSED
ALABAMA CONGRESSIONAL DISTRICTS
COUNTY POPULATION BY DISTRICT District 2

Total Pop.	White	%White	Black	%Black
3047	909	29.83	2129	69.87
1602	14353	66.44	7085	32.80
12611	3781	29.98	8796	69.75
10949	3025	27.63	7904	72.19
14360	6894	48.01	7434	51.77
20777	9636	46.38	11111	53.48
10553	3594	34.06	6925	65.62
582	218	37.46	364	62.54
9758	4478	45.89	5233	53.63
6365	2873	45.14	3466	54.45
5501	3088	56.14	2396	43.56
48130	20121	41.81	27825	57.81
19561	11897	60.82	7519	38.44
644	293	45.50	348	54.04
6411	2848	44.42	3547	55.33
6651	3221	48.48	3396	51.06
11351	2403	21.17	8935	78.72
24846	3369	13.56	21332	85.86
131465	32228	24.51	98372	74.83
14283	6074	42.53	8117	56.83
92730	20113	21.69	72152	77.81
933	227	24.33	701	75.13
12790	5537	43.29	7157	55.96
9843	6217	63.16	3589	36.46
24238	8928	36.83	15211	62.76
24570	9247	37.64	15204	61.88
16212	8693	53.62	7475	46.11
2902	862	29.70	1972	67.95
13568	4203	30.98	9353	68.93
577233	199330	34.53	375048	64.97

Continued

Total VAP	White VAP	%White VAP	Black VAP	%Black VAP
2076	695	33.48	1375	66.23
15427	10878	70.51	4424	28.68
8668	3035	35.01	5599	64.59
7598	2503	32.94	5078	66.83
9866	5305	53.77	4546	45.08
15043	7735	51.42	7289	48.45
7019	2688	38.30	4306	61.35
392	160	40.82	232	59.18
6891	3508	50.91	3353	48.66
4655	2288	49.15	2350	50.48
3908	2339	59.85	1555	39.79
33025	15449	46.78	17445	52.82
14609	9036	61.85	5458	37.36
463	219	47.30	241	52.05
4582	2217	48.38	2355	51.40
4823	2408	49.93	2394	49.64
7296	1925	26.38	5365	73.53
18223	2723	14.94	15391	84.46
89189	25279	28.34	63316	70.99
9619	4533	47.13	5018	52.17
63344	15706	24.79	47307	74.68
599	168	28.05	428	71.45
9216	4420	47.96	4728	51.30
7149	4853	67.88	2274	31.81
17408	6861	39.41	10469	60.14
17085	7029	41.14	9968	58.34
11878	6909	58.17	4936	41.56
1933	639	33.06	1257	65.03
8956	3297	36.81	5649	63.08
400940	154805	38.61	244106	60.88

DEMOGRAPHIC DATA FOR PROPOSED
ALABAMA CONGRESSIONAL DISTRICTS
COUNTY POPULATION BY DISTRICT

Dist.	Total Pop.	Ideal Size	% Deviation	White	% White
	577221	577227	-0.00	249300	43.19

Continued

Black	%Black	Total VAP	White VAP	%White VAP	Black VAP	%Black VAP
323245	56.00	421460	200790	47.64	217276	51.55

DEMOGRAPHIC DATA FOR PROPOSED
ALABAMA CONGRESSIONAL DISTRICTS
COUNTY POPULATION BY DISTRICT District 7

Total Pop.	White	%White	Black	%Black
9070	5951	65.61	3082	33.98
12206	8837	72.40	3342	27.38
3253	2231	68.58	1019	31.32
16018	8913	55.64	7077	44.18
16493	11742	71.19	4698	28.48
10143	1965	19.37	8172	80.57
13469	4555	33.82	8894	66.03
301894	93206	30.87	207187	68.63
1307	782	59.83	521	39.86
23084	11314	49.01	11745	50.88
8759	7791	88.95	442	5.05
442	396	89.59	41	9.28
11152	3643	32.67	7477	67.05
14249	6255	43.90	7961	55.87
16174	4759	29.42	11369	70.29
105716	66838	63.22	37567	35.54
105716	66838	63.22	37567	35.54
13792	10122	73.39	2651	19.22
577221	249300	43.19	323245	56.00

Continued

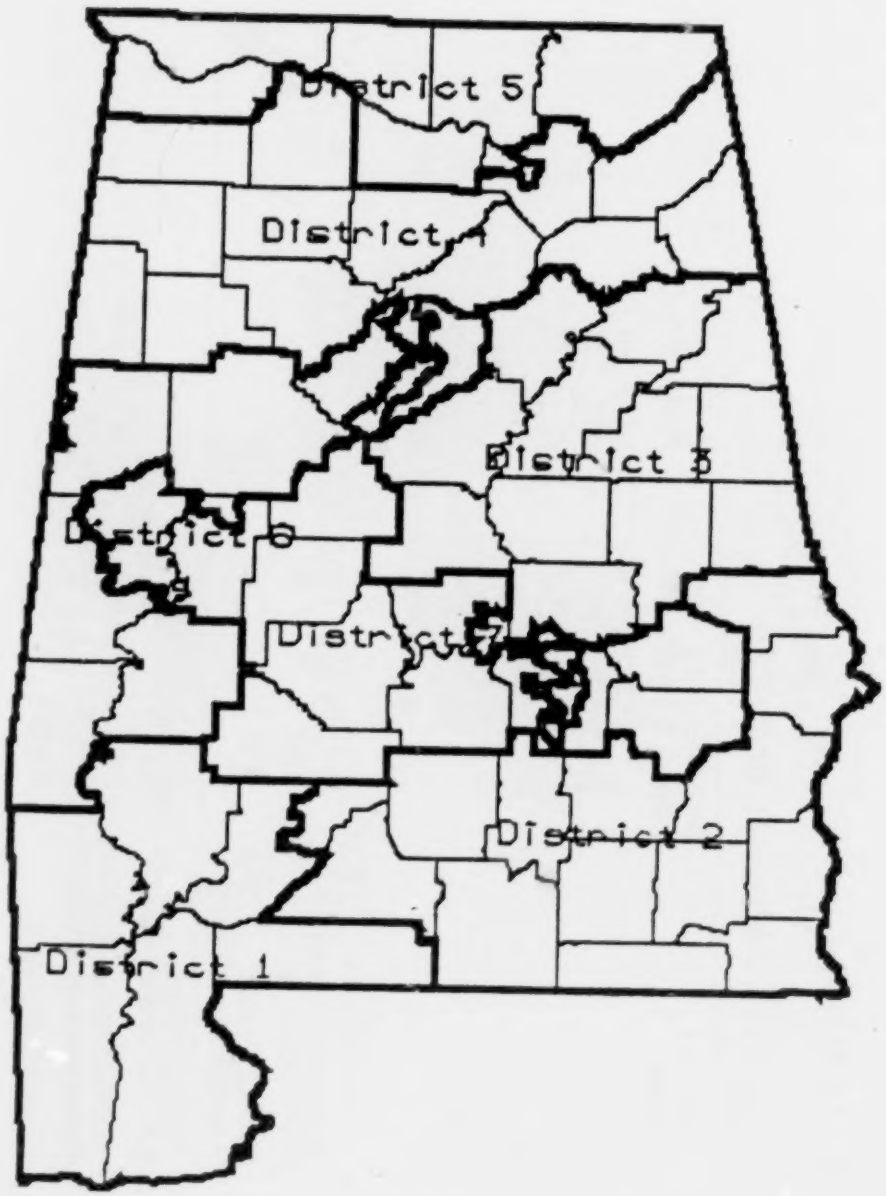
Total VAP	White VAP	%White VAP	Black VAP	%Black VAP
6209	4231	68.14	1953	31.45
8690	6616	76.13	2056	23.66
2255	1607	71.26	645	28.60
11310	6700	59.24	4592	40.60
11909	8842	74.25	3038	25.51
6806	1640	24.10	5161	75.83
9074	3460	38.13	5603	61.75
221547	78218	35.31	142187	64.18
967	588	60.81	377	38.99
16091	8524	52.97	7550	46.92
6070	5482	90.31	279	4.60
334	302	90.42	29	8.68
7614	3038	39.90	4550	59.76
10001	4994	49.94	4984	49.84
11202	3869	34.54	7291	65.09
81703	55285	67.67	25322	30.99
9678	7394	76.40	1659	17.14
421460	200790	47.64	217276	51.55

CONGRESSIONAL

REAPPORTIONMENT PLAN

ADOPTED BY

THE ALABAMA GENERAL ASSEMBLY


District 5
District 4
District 3
District 6
District 7
District 2
District 1

DB: ALABAMA

District Statistics
Total Populations, All Ages
Plan: Reapp 92-16

Date: 2/27/92
Time: 1:00 p.m.

Plan type: CONGRESSIONAL DISTRICTS

District Name	Number Members	Total Population	Ideal Population	District Variance	%District Variance
District 1	1	577,226	577,227	-1	0.00%
District 2	1	577,228	577,227	1	0.00%
District 3	1	577,227	277,227	0	0.00%
District 4	1	577,224	577,227	-3	0.00%
District 5	1	577,227	577,227	0	0.00%
District 6	1	577,228	577,227	1	0.00%
District 7	1	577,227	577,227	0	0.00%
Total	7	4,040,587	4,040,589	-2	0.00%

PLANWIDE STATISTICS:

Range of populations:	577,224 to 577,228
Ratio ragen:	1,000
Absolute range:	-3 to 1
Absolute overall range:	4
Relative range:	0.00 to 0.00%
Relative overall range:	0.00%
Absolute mean deviation:	0.86
Relative mean deviation:	0.00%
Standard deviation:	1.3093

DB: ALABAMA

District Statistics
Ethnic Breakdown Voting Age Populations
Plan: Reapp 92-16

Date: 2/27/92

Plan type: CONGRESSIONAL DISTRICTS

District Name	Total Pop.	Total White	Total Black	Total Am. Ind.	Total Asian/PI	Total Other
District 1	577,226 100.00%	403,662 69.93%	163,986 28.41%	4,943 0.86%	3,770 0.65%	865 0.15%
District 2	577,228 100.00%	432,727 74.97%	137,078 23.75%	1,600 0.28%	4,516 0.8%	1,307 0.23%
District 3	577,227 100.00%	463,942 80.37%	109,034 18.89%	1,340 0.23%	2,017 0.35%	894 0.15%
District 4	577,224 100.00%	537,767 93.16%	34,140 5.91%	3,693 0.64%	1,040 0.18%	584 0.10%
District 5	577,227 100.00%	484,015 83.85%	83,580 14.48%	3,401 0.59%	5,146 0.89%	1,085 0.19%
District 6	577,228 100.00%	464,488 80.47%	108,114 18.73%	839 0.15%	3,209 0.56%	578 0.10%
District 7	411,515 100.00%	151,953 32.78%	257,110 66.66%	522 0.12%	1,606 0.36%	324 0.08%
Total	4,040,578 100.00%	2,975,797 73,65%	1,020,705 25.26%	16,506 0.41%	21,797 0.54%	5,782 0.14%

DB: ALABAMA

District Statistics
Ethnic Breakdown Voting Age Populations
Plan: Reapp 92-16

Date: 2/27/92

Plan type: CONGRESSIONAL DISTRICTS

District Name	Total Vot. Age	Vot. Age White	Vot. Age Black	Vot. Age Am. Ind.	Vot. Age Asian/PI	Vot. Age Other
District 1	414,612 100.00%	302,961 73.07%	105,264 25.39%	3,272 0.79%	2,532 0.61%	583 0.14%
District 2	428,822 100.00%	333,519 77.78%	89,942 20.97%	1,188 0.28%	3,268 0.87%	905 0.21%
District 3	424,781 100.00%	349,138 82.19%	72,682 17.11%	987 0.23%	1,380 0.32%	594 .14%
District 4	432,494 100.00%	406,242 93.93%	22,961 5.31%	2,126 0.49%	773 0.18%	392 0.09%
District 5	433,667 100.00%	369,550 85.22%	57,739 13.31%	2,066 0.48%	3,597 0.83%	715 0.16%
District 6	435,908 100.00%	360,482 82.70%	71,983 16.51%	648 0.15%	2,373 0.54%	422 0.10%
District 7	411,515 100.00%	151,953 36.93%	257,110 62.48%	522 0.13%	1,606 0.39%	324 0.08%
Total	2,981,799 100.00%	2,273,845 76.26%	677,681 22.73%	10,809 0.36%	15,529 0.52%	3,935 0.13%

DB: ALABAMA

County Population by District
Total Populations, All Ages

Date: 2/27/92
Time: 1:06 p.m.
Page:

Plan type: CONGRESSIONAL DISTRICTS

District Name	Total Pop.	Total Wuite	Total Black	Total Am. Ind.	Total Asian/PI	Total Other
District 1						
Baldwin County	98,280	84,565	12,640	630	221	224
Clarke County	27,240	15,527	11,625	45	35	8
Escambia County	35,518	24,326	10,046	1,047	58	41
Mobile County	378,643	254,853	117,872	1,940	3,398	580
Monroe County	20,851	13,407	7,180	213	44	7
Washington County	16,694	10,984	4,623	1,068	14	5
Total District 1	577,226	403,662	163,986	4,943	3,770	865
District 2						
Barbour County	25,417	14,118	11,194	46	44	15
Butler County	21,892	13,049	8,798	24	19	2
Coffee County	40,240	32,702	6,917	163	317	141
Conecuh County	14,054	8,063	5,925	43	13	10
Covington County	36478	31,551	4,777	72	48	30
Crenshaw County	13,635	10,048	3,544	27	11	5
Dale County	49,633	39,365	8,847	239	731	451
Geneva County	23,647	20,682	2,824	93	15	33
Henry County	15,374	9,918	5,395	31	6	24
Houston County	81,331	61,513	18,954	287	470	107
Lee County	87,146	64,889	20,407	132	1,584	134

Total Populations, All Ages - continued

District Name	Total Pop.	Total Wuite	Total Black	Total Am. Ind.	Total Asian/PI	Total Other
District 2 - continued						
Monroe County	3,117	913	2,192	2	10	0
Montgomery County	90,809	79,629	9,668	205	1,063	244
Pike County	27,595	17,814	9,548	146	68	19
Russell County	46,860	28,473	18,088	90	117	92
Total District 2	577,228	432,727	137,078	1,600	4,516	1,307
District 3						
Autauga County	23,423	20,173	3,037	61	115	37
Calhoun County	116,034	92,873	21,578	296	869	418
Chambers County	36,876	23,575	13,221	41	13	26
Chilton County	32,458	28,647	3,674	63	38	36
Clay County	13,252	11,044	2,166	23	13	6
Cleburne County	12,730	12,084	587	20	13	26
Coosa County	11,063	7,242	3,782	34	4	1
Elmore County	49,210	37,850	11,039	137	129	55
Randolph County	19,881	15,138	4,686	29	21	7
St. Clair County	50,009	45,138	4,561	136	77	97

Total Populations, All Ages - continued

District Name	Total Pop.	Total Wuite	Total Black	Total Am. Ind.	Total Asian/PI	Total Other
District 3 - continued						
Shelby County	99,358	90,715	7,718	264	575	86
Talladega County	74,107	50,970	22,773	174	113	77
Tallapoosa County	38,826	28,493	10,212	62	37	22
Total District 3	577,227	463,942	109,034	1,340	2,017	894
District 4						
Blount County	39,248	38,397	521	133	33	164
Cherokee County	19,543	18,154	1,291	51	24	23
Cullman County	67,613	66,744	560	134	117	58
DeKalb County	54,651	52,980	1,028	481	77	85
Etowah County	99,840	85,274	13,799	250	419	98
Fayette County	17,962	15,717	2,190	9	19	27
Franklin County	27,814	26,463	1,249	57	35	10
Jefferson County	17,620	17,379	183	36	15	7
Lamar County	15,715	13,805	1,862	24	10	14
Lawrence County	31,513	24,563	4,798	2,124	19	9
Marion County	29,830	28,759	967	57	35	12
Marshall County	65,818	64,399	1,062	211	104	42
Pickens County	334	166	168	0	0	0

Total Populations, All Ages - continued

District Name	Total Pop.	Total Wuite	Total Black	Total Am. Ind.	Total Asian/PI	Total Other
District 4 - continued						
Walker County	67,670	63,042	4,405	84	107	32
Winston County	22,053	21,925	57	42	26	3
Total District 4						
District 5						
Colbert County	51,336	42,820	8,568	137	93	48
Jackson County	47,796	44,696	1,968	1,020	90	22
Lauderdale County	79,661	71,560	7,695	165	196	45
Limestone County	54,135	46,658	7,127	148	158	44
Madison County	238,912	184,197	48,116	1,601	4,232	766
Marshall County	5,014	4,962	25	20	7	0
Morgan County	100,043	89,122	10,081	310	370	160
Total District 5	577,227	484,015	83,580	3,401	5,146	1,085

Total Populations, All Ages - continued

District Name	Total Pop.	Total Wuite	Total Black	Total Am. Ind.	Total Asian/PI	Total Other
District 6						
Choctaw County	16,018	8,913	7,077	10	12	6
Hale County	2,565	1,794	764	5	2	0
Jefferson County	348,500	316,474	29,305	530	1,863	328
Marengo County	23,084	11,314	11,745	11	11	3
Pickens County	20,365	11,836	8,477	24	27	1
Sumter county	16,174	4,759	11,369	6	30	10
Tuscaloosa County	150,522	109,398	39,377	253	1,264	230
Total District 6	577,228	464,488	108,114	839	3,209	578

Total Populations, All Ages - continued

District Name	Total Pop.	Total Wuite	Total Black	Total Am. Ind.	Total Asian/PI	Total Other
District 7						
Autauga County	10,799	6,971	3,808	10	5	5
Bibb County	16,576	13,052	3,478	25	11	10
Bullock County	11,042	3,036	7,986	8	10	2
Dallas County	48,130	20,121	27,825	41	129	14
Greene County	10,153	1,966	8,181	3	0	3
Hale County	12,933	4,461	8,450	15	7	0
Jefferson County	285,405	84,464	199,033	323	1,344	241
Lowndes County	12,658	3,185	9,456	10	4	3
Macon County	24,928	3,443	21,340	24	99	22
Montgomery County	118,276	39,791	77,644	209	470	162
Perry County	12,759	4,503	8,219	16	14	7
Wilcox County	13,568	4,203	9,353	6	6	0
Total District 7	577,227	189,196	384,773	690	2,099	469

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

Civil Action No. 91-0787

PAUL CHARLES WESCH,

Plaintiff

vs.

MICHAEL FIGURES, ET AL.,

Intervenor-Plaintiffs,

vs.

GUY HUNT, ET AL.,

Defendants.

DECLARATION OF SELWYN O. CARTER

COMES NOW SELWYN O. CARTER, and pursuant to 28 U.S.C. 1746 states the following:

1. I am the Deputy Director of the Voting Rights Program of the Southern Regional Council in Atlanta, Georgia. In this position, I am responsible for the supervision of the Council's activities in developing redistricting plans in the American South;

2. From 1987 to 1991, I was the director of voter participation efforts, serving as the Deputy Director of the Political Development Department and Director of the Policy Analysis and Public Education Unit of the Community Service Society of New York. I was responsible for the Society's activities in developing fair redistricting plans in New York. I am author of a 51-district plan for redistricting the City Council of New York, substantial portions of which were adopted by the NYC Districting Commission and ultimately precleared by the Justice Department. I also drafted plans for redistricting the Assembly of the State of

New York and New York's Congressional districts, serving as a redistricting consultant to the National Association for the Advancement of Colored People;

3. I am familiar with the Congressional plan adopted by this court. The plan creates only one majority black Congressional district, by combining the black concentrations in Birmingham and Montgomery. The black community in Mobile County (numbering 117,872 people) is submerged in predominantly white District 1. The court plan also dilutes the voting potential of sizable African-American communities in Macon, Bulloch, Lowndes, Dallas and Wilcox Counties, placing them in majority white districts.

4. I am also familiar with the Congressional plan passed by the Alabama General Assembly, and rejected by the United States Department of Justice on March 27, 1991 (Exhibit B). The plan is quite similar to that adopted by this court, both as to the single majority black district (District 7) and the six white districts. Both plans combine the black concentrations in Birmingham and Montgomery to create the sole majority black district, excluding the substantial black population in Mobile, and achieve similar racial compositions (under the court's plan, District 7 is 67.53% BPOP/ 63.51% BVAP). The primary difference between the two black districts is that the court's plan includes three counties in Western Alabama (Choctaw, Marengo and Sumter Counties) that are not included in the state's version of the district.

5. I am the author of the alternative plan filed herewith as Exhibit A, which creates two majority black Congressional districts: one at 65% black population, and the other at 56% black population. Under this plan, Birmingham is the core of the 56% district, allowing the black populations in Mobile and Montgomery to be linked with Macon, Bulloch, Lowndes, Dallas and Wilcox Counties to create a second majority black (65%) Congressional district. While none of the white districts have been drawn in as part of this plan, I have reviewed the configurations and confirmed

that the white districts can be drawn around the black districts. Rather than arbitrarily chose one configuration or another, I have left these lines undrawn, to be filled in by the state and/or the court under whatever criteria the court should see fit to impose.

6. In my considered judgment, this plan will remedy the unnecessary dilution and fragmentation of the black population which exists in the court-ordered plan, and which was the subject of an objection by the Justice Department, and will permit black voters in Alabama to elect candidates of their choice in two of the state's Congressional districts.

I declare under penalty of perjury that the foregoing is true and correct. Executed on ___ April, 1992.

SELWYN O. CARTER

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

Civil Action No. 91-0787

PAUL CHARLES WESCH,

Plaintiff

vs.

MICHAEL FIGURES, ET AL.,

Intervenor-Plaintiffs,

vs.

GUY HUNT, ET AL.,

Defendants.

DECLARATION OF ANTONIO HARRISON

COMES NOW ANTONIO L. ("Tony") HARRISON and, pursuant to 28 U.S.C. 1746, states the following:

1. I am currently the director of the Electoral Participation Project, a special administrative project of the Southern Regional Council of Atlanta, GA which provides technical assistance on matters relating to racially fair redistricting;

2. During the 1980s, I was deputy chair of the Democratic National Committee for Political Participation and was involved in the analysis of trends in registration and turnout of black voters across the country, including the South and Alabama;

3. From 1974 through 1982, I was a member of the Alabama legislature, elected from a district in Jefferson County, Alabama. During that time, I was particularly familiar with patterns of voting in Congressional and legislative districts in the Birmingham area;

4. In the late 1960s and early 1970s I was involved with the voter registration and turnout of black citizens in campaigns by the candidates by the black community in areas of Green County, Alabama and Jefferson County, Alabama;

5. Based upon my knowledge, information and experience over the years, I believe that racially polarized voting has existed and continues to exist in elections for the state legislature and the Congress in Alabama and that racially polarized voting has prevented and continues to prevent black citizens, despite their cohesion, from electing the candidates of their choice (other than in majority black single member district) in those elections). To my knowledge, no black candidate has been elected in a majority white single-member district for a legislative or Congressional seat in Alabama during this century;

6. The black population in Alabama is sufficiently numerous and geographically compact that blacks would constitute a viable majority in two fairly drawn Congressional districts: one which would include the Mobile area, and a second which would include the City of Birmingham;

7. I am familiar with the court-ordered Congressional plan entered in this case, which creates only one majority black Congressional district in Alabama. That district, which includes both Birmingham and Montgomery, excludes the substantial black population in the City of Mobile and in nearby counties. In my considered judgment, the court-ordered plan fragments the black concentrations of population in the state;

8. There are alternative plans that avoid such fragmentation and provide for two Congressional districts with black voting age population majorities. On January 4, 1992, I testified before this Court in support of one such configuration (the "Hilliard" plan), which created one district with a 61.98% black population, and a second with a 59.33% black population;

9. I am also familiar with the plan which is being submitted herewith by the Intervenor-Plaintiffs in this case, in support of their Motion to Modify the Court-Ordered Plan. That plan creates one majority black district at 65% black population, and a second at 56% black population. The 65% district is grounded in the City of Mobile, and extends through Montgomery County and east, taking in heavily black rural counties in Central and Eastern Alabama, on its way into Montgomery. Given the historic impediments to black participation in these rural areas, including the lower educational levels and socioeconomic status of these black citizens, it is important that this district be drawn at a higher black composition than the second district. The 56% district is based in Birmingham, which has a history of black political participation going back to the 1960s, and includes politically active Tuscaloosa County, where blacks have succeeded in electing candidates of their choice to the city council and county commission. This district also includes a large body of progressive white voters in the Birmingham area and the university communities (in both Birmingham and Tuscaloosa), who have shown their willingness to support black candidates, thereby strengthening the viability of the district;

10. In my considered judgment, either of these two plans would remedy the unnecessary fragmentation of the black population which exists in the court-ordered plan, and would permit black voters in Alabama to elect candidates of their choice in two Congressional districts.

I declare under penalty of perjury that the foregoing is true and correct. Executed on ___ April, 1992.

ANTONIO L. HARRISON

CERTIFICATE OF SERVICE

I hereby certify that I have on this the 1st of May, 1992, served a copy of the foregoing pleading upon all counsel of parties, by mailing a copy of same by United States Mail, first class postage prepaid as follows:

Walter S. Turner, Esq.
Ronald Forehand, Esq.
Marc Givhan, Esq.
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11 South Union
Montgomery, AL 36130

Honorable Devon Wiggins
Judge of Probate
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Monroeville, AL 36461

David R. Boyd, Esq.
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Montgomery, AL 36101

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Michael A. Carvin, Esq.
2300 N. Street, N.W.
Washington, D.C. 20037

JOHN H. ENLAND, JR.

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

Civil Action No. 91-0787

PAUL CHARLES WESCH,

Plaintiff

vs.

MICHAEL FIGURES, ET AL.,

Intervenor-Plaintiffs,

vs.

GUY HUNT, ET AL.,

Defendants.

ORDER

[Filed May 20, 1992]

Before COX, Circuit Judge, HAND, Senior District Judge, and ALBRITTON, District Judge.

BY THE COURT

The Motion of Intervenor-Plaintiffs to Supplement the Record (Doc. #132) is DENIED.

U.S. Department of Justice
Civil Rights Division

Office of the Assistant Attorney General *Washington, D.C. 20530*

March 27, 1992

Honorable Jimmy Evans
Attorney General
Alabama State House
11 South Union Street
Montgomery, Alabama 36130

Dear Mr. Attorney General:

This refers to Act No. 92-63 (1992), which provides the redistricting plan for Congressional districts and Act No. 92-152 (1992), which provides for a change in the qualifying deadline for the June 2, 1992, primary election for members of Congress for the State of Alabama, submitted to the Attorney General pursuant to Section 5 of the Voting Rights Act of 1965, as amended, 42 U.S.C. 1973c. We received the Congressional redistricting submission on March 11, 1992; supplemental information was received on March 12, 17, 18, 23, 24, 25, and 26, 1992. The submission of the change in qualifying deadline was received on March 26, 1992.

With respect to the change in qualifying deadline, the Attorney General does not interpose any objection to the change. However, we note that the failure of the Attorney General to object does not bar subsequent litigation to enjoin enforcement of the change. In addition, as authorized by Section 5, we reserve the right to reexamine this submission if additional information that would otherwise require an objection comes to our attention during the remainder of the sixty-day review period. See the Procedures for the Administration of Section 5, 28 C.F.R. 51.41 and 51.43.

With respect to the far more complex Congressional redistricting, we note at the outset the extreme time constraints imposed by the order of the Court in *Wesch v. Hunt,* No. 91-0787 (S.D. Ala. March 9, 1992), which allowed the state until noon today to obtain preclearance of its proposed plan under Section 5. For that reason, our review to date necessarily has been limited, and similarly, the short time available has limited the state's ability to meet its burden under Section 5. To the extent possible, however, we have given careful consideration to the materials and information you have so diligently made available to us.

As you are aware, a concern has been raised that an underlying principle of the Congressional redistricting was a predisposition on the part of the state political leadership to limited black voting potential to a single district. The proposed plan provides for one such district based on black population concentrations in Jefferson County, Montgomery County and intervening areas. The remainder of the state's concentrated black population, however, is fragmented under the submitted plan among a number of districts none of which has a black population of as much as 30 percent. In light of the prevailing pattern of racially polarized voting throughout the state, it does not appear that black voters are likely to have a realistic opportunity to elect a candidate of their choice in any of the districts.

Our analysis further indicates that the fragmentation of black population concentrations outside of the one district with a black voting age population majority was necessary. Indeed, it is clear that at least the outlines of alternative plans that avoided such fragmentation were available or readily discernible by state officials and that such alternatives would provide for two Congressional districts with black voting age population majorities. These included plans with one district based on the black communities of Montgomery and Mobile Counties and the intervening and adjacent black-populated areas, and the other based upon the black population of Jefferson County and southern Tuscaloosa County, together with black-populated areas to the south and west. Moreover, it appears that the elimination of this identified

fragmentation would enhance the ability of black voters to elect representatives of their choice.

The fragmentation of black population in areas of the state outside of the proposed black majority district, under these circumstances, has not been adequately explained. The reasons for this fragmentation appear to be related to the desire to protect incumbent members or to serve parochial political interests. While such considerations in themselves are not inappropriate, they may not be accomplished at the expense of the rights of black voters. *Garza v. City of Los Angeles*, 918 F.2d 763 (9th Cir. 1990); *Ketchum v. Byrne*, 740 F.2d 1398, 1408-09 (7th Cir. 1984), *cert. denied*, 471 U.S. 1135 (1985).

Under Section 5, as noted above, the state has the burden of demonstrating that a proposed change was not adopted with a racially discriminatory purpose and that it will not have a racially discriminatory effect. In addition, a redistricting plan may not be precleared if the plan clearly violates Section 2 of the Act, 42 U.S.C. 1974. See the Section 5 Procedures, 28 C.F.R. 51.55(b)(2).

Under the circumstances discussed above, and particularly in light of the time constraints which the legislative and court schedules have imposed, I cannot conclude, as I must under the Voting Rights Act, that the proposed districts are entitled to Section 5 preclearance. Accordingly, I must, on behalf of the Attorney General, interpose an objection to the proposed redistricting plan for Congressional districts for the State of Alabama.

Of course, as provided by Section 5 of the Voting Rights Act, you have the right to seek a declaratory judgment from the United States District Court for the District of Columbia that the proposed Alabama Congressional redistricting plan has neither the purpose nor will have the effect of denying or abridging the right to vote on account of race or color. In addition, Section 51.45 of the guidelines permits you to request that the Attorney General reconsider the objection. However, until the objection is withdrawn or a judgment from the District of Columbia Court is obtained, the proposed Alabama Congressional redistricting plan continues to be

legally unenforceable. *Clark v. Roemer*, 59 U.S.L.W. 4583 (U.S. June 3, 991); 28 C.F.R. 51.10 and 51.45.

If you have any questions, feel free to call Voting Section Attorney John Tanner, (202) 307-2897, who has been assigned to handle this matter.

Sincerely,

JOHN R. DUNNE
Assistant Attorney General
Civil Rights Division

JKT:bjg
DJ 166-012-3

March 27, 1992

VIA FACSIMILE TRANSMISSION

Mr. John Vincent O'Brien
Clerk, United States District Court
for the Southern District of Alabama
113 St. Joseph Street
Mobile, Alabama 36602

Dear Mr. O'Brien:

This is in reference to the case of *Wesch v. Hunt*, No. 91-0787 (S.D. Ala. March 9, 1992), concerning Congressional redistricting for the State of Alabama.

On March 27, 1992, this Department made a determination respecting submissions from the State of Alabama pursuant to Section 5 of the Voting Rights Act of 1965, 42 U.S.C. 1973c, of a proposed Congressional redistricting plan and an extension of the qualifying deadline for the June 2, 1992 primary election for members of Congress. As set forth in the accompanying determination letter, we have found it necessary to interpose an objection to the Congressional redistricting plan; however, the extension of the qualifying deadline has received Section 5 preclearance.

We are enclosing copies of our letter because it affects matters currently before the Court. We would appreciate your sharing the letter with each member of the Court.

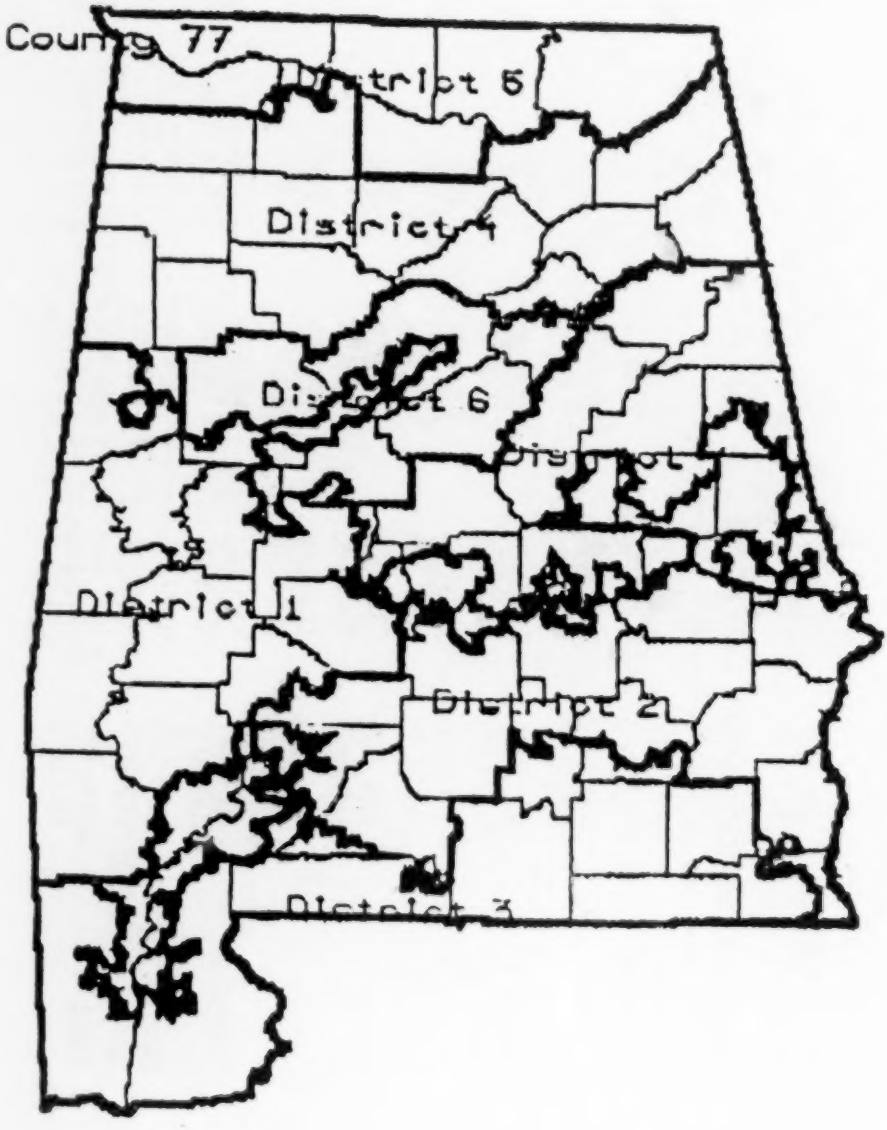
If we may be of any assistance, please do not hesitate to contact us. I may be reached at (202) 307-2897.

Sincerely,

JOHN K. TANNER
Attorney, Voting Section

Enclosures
cc: Counsel of Record

HILLARD PLAN



DB: ALABAMA

District Summary
Total Populations, All Ages
Plan: Hilliard Plan

Date: 12/13/91
Time: 3:49 p.m.
Page: 1

Plan type: CONGRESSIONAL DISTRICTS

District Name	Total Pop.	Total White	Total Black	Total Am. Ind.	Total Asian/PI	Total Other
District 1	575,147	230,006	341,239	1,719	1,829	354
	100.00%	39.99%	59.33%	0.30%	0.32%	0.06%
District 2	579,307	216,412	359,061	1,716	1,592	526
	100.00%	37.36%	61.98%	0.30%	0.27%	0.09%
District 3	577,227	502,474	65,011	3,625	4,711	1,406
	100.00%	87.05	11.26%	0.63%	0.82%	0.24%
District 4	577,227	538,847	33,095	3,582	1,047	656
	100.00%	83.42%	14.89%	0.61%	0.89%	0.19%
District 5	577,227	481,504	85,950	3,540	5,145	1,088
	100.00%	83.42%	14.89%	0-.61%	0.89%	0.19%
District 6	577,227	530,061	41,933	1,050	3,561	622
	100.00%	91.83%	7.26%	0.18%	0.62%	0.11%
District 7	577,225	476,493	94,416	1,274	3,912	1,130
	100.00%	82.55%	16.36%	0.22%	0.68%	0.20%
Total	4,040,587	2,975,797	1,020,705	16,506	21,797	5,782
	100.00%	73.65%	23.26%	0.41%	0.54%	0.14%

DB: ALABAMA

District Statistics
Ethnic Breakdown of Voting Age Populations
Plan: Hilliard Plan

Date: 2/27/92

Plan type: CONGRESSIONAL DISTRICTS

Page: 1

District Name	Total Pop.	Total White	Total Black	Total Am. Ind.	Total Asian/PI	Total Other
District 1	413,205 100.00%	182,903 44.26%	227,520 55.06%	1,135 0.27%	1,395 0.34%	252 0.06%
District 2	404,771 100.00%	168,362 41.59%	233,756 57.75%	1,185 0.29%	1,112 0.27%	356 0.09%
District 3	424,881 100.00%	376,304 88.57%	41,923 9.87%	2,528 0.59%	3,186 0.75%	940 0.22%
District 4	432,613 100.00%	406,728 94.02%	22,593 5.22%	2,080 0.48%	778 0.18%	434 0.10%
District 5	438,500 100.00%	405,629 92.50%	29,030 6.62%	795 0.18%	2,601 0.59%	445 0.10%
District 6	438,500 100.00%	405,629 92.50%	29,030 6.62%	795 0.18%	2,601 0.59%	445 0.10%
District 7	434,518 100.00%	386,238 84.29%	63,669 14.65%	956 0.22%	2,863 0.66%	792 0.18%
Total	2,981,799 100.00%	2,273,845 76.20%	677,681 22.73%	10,809 0.36%	15,529 0.52%	3,935 0.12%

SECTION 5 OF THE VOTING RIGHTS ACT OF 1965

42 U.S.C. § 1973c

Whenever a State or political subdivision with respect to which the prohibitions set for in section 1973b(a) of this title based upon determination made under the first sentence of section 1973b(b) of this title are in affect shall enact or seek to administer any voting qualification or prerequisite to voting, or standard, practice, or procedure with respect to voting different from that in force or effect on November 1, 1964, or whenever a State or political subdivision with respect to which the prohibitions set forth in section 1973b(a) of this title based upon determinations made under the second sentence of section 1973b(b) of this title are in effect shall enact or seek to administer any voting qualification or prerequisite to voting, or standard, practice, or procedure with respect to voting different from that in force or effect in November 1, 1968, or whenever a State or political subdivision with respect to which the prohibitions set forth in section 1973b(a) of this title based upon determinations made under the third sentence of section 1973b(b) of this title are in effect shall enact or seek to administer any voting qualification or prerequisite to voting, or standard, practice, or procedure with respect to voting different from that in force or effect on November 1, 1972, such State or subdivision may institute an action in the United States District Court for the District of Columbia for a declaratory judgment that such qualification, prerequisite, standard, practice, or procedure does not have the purpose and will not have the effect of denying or abridging the right to vote on account of race or color, or in contravention of the guarantees set forth in section 1973b(f)(2) of this title, and unless and until the court enters such judgment no person shall be denied the right to vote for failure to comply with such qualification, prerequisite, standard, practice, or procedure: *Provided*, That such qualification, prerequisite, standard, practice, or procedure may be enforced without such proceeding if the qualification, prerequisite, standard, practice, or procedure has been submitted by the chief legal officer or other appropriate official of such State or subdivision to the Attorney General and the Attorney General has not interposed an objection within sixty days after such submission, or upon good cause shown, to facilitate an expedited approval within sixty days after such submission, the Attorney General has affirmatively indicated that such objection will not be made. Neither an affirmative indication by the Attorney General that no objection will be made, nor the Attorney General's failure to object, nor a declaratory judgment entered under this section

shall bar a subsequent action to enjoin enforcement of such qualification, prerequisite, standard, practice, or procedure. In the event the Attorney General affirmatively indicates that no objection will be made within the sixty-day period following receipt of a submission, the Attorney General may reserve the right to reexamine the submission if additional information comes to his attention during the remainder of this sixty-day period which would otherwise require objection in accordance with this section. Any action under this action shall be heard and determined by a court of three judges in accordance with the provisions of section 2284 of Title 28 and any appeal shall lie to the Supreme Court.

(3)

FILED
JUL 6 1992
OFFICE OF THE CLERK

No. 91-1992

IN THE

Supreme Court of the United States

OCTOBER TERM, 1991

MICHAEL FIGURES and DR. JOSEPH MITCHELL
for themselves and on behalf of all
other persons similarly situated,
Appellants,

vs.

PAUL CHARLES WESCH, et al.,
Appellees.

On Appeal From the United States District Court
For The Southern District of Alabama

APPELLEE PAUL CHARLES WESCH'S MOTION TO DISMISS OR AFFIRM

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QUESTION PRESENTED

Whether the District Court abused its discretion in denying the Appellants' Rule 60(b) motion to modify a court-ordered interim congressional redistricting plan in light of objections interposed by the Justice Department to a separate, legislatively-enacted plan pursuant to Section 5 of the Voting Rights Act.

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No. 91-1992

IN THE

Supreme Court of the United States

OCTOBER TERM, 1991

MICHAEL FIGURES and DR. JOSEPH MITCHELL
for themselves and on behalf of all
other persons similarly situated,

Appellants,

vs.

PAUL CHARLES WESCH, et al.,

Appellees.

On Appeal From the United States District Court
For The Southern District of Alabama

APPELLEE PAUL CHARLES WESCH'S MOTION TO DISMISS OR AFFIRM

Pursuant to Supreme Court Rule 18.6, the Appellee Paul Charles Wesch moves the Court to dismiss this appeal or, in the alternative, to summarily affirm the decision of the District Court on the following grounds:

1. The question presented by this appeal is insubstantial.

2. The decision of the District Court is so manifestly correct as not to merit further argument.

STATEMENT

The Appellee Paul Charles Wesch initiated this action in the United States District Court for the Southern District of Alabama, seeking declaratory and injunctive relief based on his contention that Alabama's existing congressional districts violated Article I, Section 2 of the Constitution. Although they were aware of the suit within a few days after it was filed, the Appellants Michael Figures and Dr. Joseph Mitchell waited more than two months before filing a Motion to Intervene on behalf of themselves and all African-American citizens of Alabama (Appendices A and B). The District Court granted the Motion to Intervene but specified that all applicable pre-trial deadlines would remain fixed. (Appendix C).

This case was tried on January 3 and 4, 1992 before a three-judge panel convened pursuant to 28 U.S.C. § 2284(a). At trial, the parties stipulated that the African-American population of Alabama was sufficiently compact and contiguous to allow the creation of a congressional district with a total population that was 65% or more African-American, and that such a district should be created. (Appendix D). The Court also received testimony concerning six proposed redistricting plans, only one of which — the "Hilliard Plan" — contained two majority African-American districts.

While the case was under submission to the District Court, the Alabama Legislature adopted its own congressional redistricting plan. Thereafter, the Court entered an order declaring Alabama's then existing congressional districts unconstitutional and enjoining any further elections under those districts. The Court further ordered into effect, on an interim basis, a redistricting plan containing a single majority African-American district, unless the Legislature's plan, which also contained only one majority African-American district, received preclearance under Section 5 of the Voting Rights Act by 12:00 noon, March 27,

1992. The Court denied a motion to adopt the Legislature's plan on an interim basis pending preclearance.[1] (App. to Jurisdictional Statement 5a - 6a, 150a - 152a).

On March 27, 1992, the Justice Department refused to preclear the Legislature's plan because the state had not adequately explained why the plan contained only one majority African-American district instead of two. (App. to Jurisdictional Statement 222a). The Appellants then filed a motion pursuant to Rule 60(b) of the Federal Rules of Civil Procedure, asking the Court to modify its plan in light of the Justice Department's objection so as to include two majority African-American districts. (App. to Jurisdictional Statement 174a). The District Court denied this motion (App. to Jurisdictional Statement 184a), and this appeal followed.

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[1]This aspect of the District Court's Order has already been affirmed by this Court in *Camp v. Wesch*, No. 91-1553 (May 18, 1992).

ARGUMENT

1. The standard of review.

The Appellants contend that the District Court erred by denying the Appellants' Rule 60(b) motion to modify the court-ordered redistricting plan to include two majority African-American districts instead of one. The resolution of a Rule 60(b) motion is within the trial court's discretion, and the only inquiry on appeal is whether the trial court's ruling was an abuse of that discretion. *Browder v. Director, Illinois Dept. of Corrections*, 434 U.S. 257, 263 n.7, 98 S.Ct. 556, 54 L.Ed. 2d 521 (1978); *First National Life Insurance Co. v. California Pacific Life Insurance Co.*, 876 F.2d 877 (11th Cir. 1989); *Sullivan v. Houston Independent School District*, 475 F.2d 1071 (5th Cir. 1973).

2. The District Court did not abuse its discretion by denying the Appellants' motion to modify the court-ordered redistricting plan.

The Appellants presented no evidence at trial that a redistricting plan which contained only one majority African-American district would violate the 1965 Voting Rights Act by impermissibly fragmenting or diluting African-American voting strength. On the contrary, at least three witnesses, including the Appellants' own expert and Dr. Joe Reed, one of Alabama's leading African-American political figures, expressed serious doubts concerning whether two viable African-American districts could be created in Alabama. (See testimony of Dr. Richard L. Engstrom, Appendix E; testimony of Dr. Joe Reed, Appendix F; and testimony of Jerry Wilson, Appendix G). The Appellee Wesch's expert witness, Dr. Richard L. Engstrom, testified that in his opinion the Sam Pierce "Zero" Plan proposed by the Appellee — which was ultimately adopted almost in its entirety by the Court — provided African-American citizens with a reasonable opportunity to elect a candidate of their choice and did not dilute African-American voting strength. (Appendix E). Moreover, the

Appellants agreed to a stipulation that called for the creation of a majority African-American district with 65% or more African-American population. (Appendix D). When the Court pointed out to counsel for the Appellants that this stipulation would preclude the adoption of the Hilliard Plan, which contained two majority African-American districts, counsel for the Appellants responded that he was familiar enough with the wishes of the African-American citizens of Alabama to agree to the stipulation nevertheless. (Appendix H). Accordingly, it is clear (a) that the Appellants made a conscious, calculated, and deliberate decision not to advocate the creation of two majority African-American districts at trial and (b) that in fact no evidence was presented to the District Court to support a finding that two viable African-American districts could be created in Alabama in 1992, or that a plan which contained only one majority African-American district would dilute minority voting strength. Following the Justice Department's refusal to preclear the Legislature's Plan, the Appellants sought to abruptly reverse their position by asking the District Court to implement a two-majority African-American district plan. Rule 60(b), however, is not intended as a vehicle through which litigants can relieve themselves from "free, calculated, deliberate choices" because hindsight indicates to them that those choices may have been wrong. *Ackermann v. United States*, 340 U.S. 193, 71 S.Ct. 209, 95 L.Ed. 207 (1950).

Faced with the absence of any evidence before the District Court that a plan containing only one African-American district impermissibly dilutes African-American voting strength in Alabama, the Appellants premise their entire argument on the assertion that the District Court was compelled to alter its *own* plan because the Justice Department had refused Section 5 preclearance to the *Legislature's* plan. This argument, if upheld, would mean that the Justice Department would effectively have veto power over a *court-ordered* redistricting plan even in cases

in which a court-ordered plan was not subject to any direct review by the Justice Department. Such a result is neither warranted by Section 5 of the Voting Rights Act nor by this Court's limitations upon the scope of Section 5.

Section 5 (42 U.S.C. § 1973c), by its terms, requires states and political subdivisions to obtain "preclearance" either from the Attorney General or the United States District Court for the District of Columbia before any change affecting voting — such as a congressional redistricting plan -- may be implemented. Court-ordered plans, however, are not subject to this preclearance requirement. *Connor v. Johnson*, 402 U.S. 690, 91 S.Ct. 1760, 29 L.Ed. 2d 268 (1971). Rather, only "legislative plans" must be precleared. "The essential characteristic of a legislative plan is the exercise of legislative judgment . . . [that is], a proposal reflecting the policy choices of the elected representatives of the people . . ." *McDaniel v. Sanchez*, 452 U.S. 130, 152 - 53, 101 S.Ct. 2224, 68 L.Ed. 2d 724 (1981) (bracketed material added for clarification). In this case, the District Court made a specific finding that the plan it substantially adopted was not a "legislative plan" subject to the Section 5 preclearance requirement. (App. to Jurisdictional Statement 151a)[2]. Because Section 5 does not even apply to the District Court's plan, it obviously makes little sense to argue, as the Appellants do here, that the Court's plan violates Section 5 because the legislative plan failed to receive Section 5 preclearance.

Even though the Court plan was not itself subject to Section 5, the Appellants argue that the District Court was bound to follow the Justice Department's rejection of the legislative plan as an "administrative precedent" and to adjust its plan in accordance with the Justice Department's comments concerning the

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[2] The Appellants have not challenged this finding and, in any event, the District Court's underlying judgment is not subject to review on appeal from the denial of a Rule 60(b) motion. *Browder, supra*, 434 U.S. 257, 263 n.7.

creation of a second majority African-American district. This argument is without merit. Because the Section 5 preclearance requirement does not apply to court-ordered redistricting plans which do not reflect legislative policy choices, the *Court*, not the Justice Department, is the proper body to decide whether such plans conform with the Voting Rights Act. Moreover, under the circumstances of this particular case, the District Court had ample justification for refusing to treat the Justice Department's administrative ruling on the Legislature's plan as a binding precedent with respect to the court-ordered plan. The Justice Department's rejection of the Legislature's plan, when analyzed carefully, does not amount to a final determination by the Attorney General that the Voting Rights Act requires the creation of two majority African-American congressional districts in Alabama. On the contrary, the Attorney General's letter merely states that the State was not able, in the limited time available, to adequately explain the failure to create a second majority African-American district. The letter explicitly invites review of the decision either via a declaratory judgment proceeding in the United States District Court for the District of Columbia or an administrative reconsideration by the Justice Department. The letter further notes that the failure to create a second majority African-American district appeared to be motivated by a "desire to protect incumbent members or to serve parochial political interests." (App. to Jurisdictional Statement 224a). However, the District Court had the benefit of a full evidentiary hearing and heard testimony from some of the Appellants' own witnesses concerning their reservations about whether two viable majority African-American districts could be created in Alabama in 1992. Dr. Joe Reed testified that he would not advise the creation of a plan with two majority African-American districts because "the safest way to get a black district is to draw one district sixty-five percent or above," and that based on his knowledge of Alabama politics he "felt much better drawing one district predominantly black with over sixty-five percent black

in it." (Appendix F). Jerry Wilson, the Appellants' own expert witness, testified that he had concerns about whether Alabama's African-American population concentrations could be divided between two viable majority districts because of the "strong burden" such a scheme would place on the African-American community to register and turn out to vote. Mr. Wilson also testified that in evaluating the viability of a two-majority African-American district plan he would consider the opinion of black political leaders concerning the plan "very important." (Appendix G). Further, the Appellee Wesch's expert witness, Dr. Engstrom, testified that he believed the single-majority African-American district plan proposed by the Appellee did not dilute minority voting strength. (Appendix E). Certainly the District Court was entitled to give this testimony substantial weight and to conclude that only one African-American district should be created - not to protect incumbents or "to serve parochial political interests", but to insure that African-American citizens of Alabama would truly have a viable opportunity to elect a candidate of their choice in one district, rather than attempting to spread African-American voting power between two districts of questionable viability. Under these circumstances, it was plainly within the District Court's discretion to deny the Appellants' Rule 60(b) request to modify the court-ordered plan to provide for a second majority African-American congressional district.

CONCLUSION

The fundamental question presented by this case is whether a District Court has the power to decide for itself what the Voting Rights Act requires when creating a court-ordered redistricting plan, or whether that determination is controlled by an admittedly hurried administrative finding made by the Justice Department pursuant to a statute which has no applicability to court-ordered plans. The Appellee respectfully submits that the answer to this question is so obvious that this appeal patently presents no substantial federal question. Even the broadest of readings of Section 5 cannot lead to the conclusion that Congress ever intended to require a District Court to ignore the testimony presented to it and to abdicate its power to decide the law in favor of an administrative determination made by another branch of government. Moreover, the decision of the District Court in this particular case was amply supported by the evidence and was within the broad discretion afforded to a District Court in ruling on a Rule 60(b) motion. For these reasons, this Court should either dismiss this appeal or, in the alternative, summarily affirm the decision of the District Court.

DAVID A. BOYETT, III
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DATED: July 1, 1992

APPENDIX

APPENDIX A

[131] * * *

BY MR. ANDERS:

Senator Figures, I am Ferrell Anders. I am one of the attorneys for the plaintiff in this case.

A Yes, sir.

Q When did you first hear of the Wesch suit?

A It was the morning — the day before I called you.

Q And that was within a few days after the suit was filed?

A I believe it was the next couple of days or so.

Q And shortly thereafter you had someone pick up a copy from my office, did you not?

A That is correct.

Q And that was probably within four or five days from the date the suit was filed?

A Yes, sir. That is correct.

APPENDIX B

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

CIVIL ACTION NO. 91-CV-787

PAUL CHARLES WESCH,
Plaintiff,

vs.

GUY HUNT, JAMES H. EVANS, BILLY JOE CAMP,
LIONEL W. NOONAN, HARRY D'OLIVE,
DEVON WIGGINS, OTHA LEE BIGGS, JERRY BOGAN,
CLARENCE WALTERS, and TOM W. TURNER,
all sued in their official or representative capacities only,
Defendants.

MOTION FOR LEAVE TO INTERVENE

Come now Michael Figures and Joseph Mitchell for themselves and all other persons similarly situated and respectfully move the Court pursuant to and in accordance with the provisions of Rule 24(a) and (b), Federal Rules of Civil Procedure, for an Order permitting them to intervene, for themselves and all other persons similarly situated as Plaintiffs in this action and permitting them to intervene as Party Plaintiffs herein and permitting them to file the Complaint in Intervention attached hereto. Intervention herein is sought for the purpose of addressing the factual and legal issues relating to the declaration that the existing apportionment of the congressional districts for the State of Alabama is unconstitutional and in violation of the one-person, one-vote requirement of the U.S. Constitution and in violation of the Voting Rights Act, 42 USC §1971 et seq. and also relating to Redistricting of the State into seven congressional districts of substantially equal populations in conformity with

the Voting Rights Act, 42 U.S.C. § 1971 *et seq*. In support of this Motion for Leave to Intervene, Applicants for Intervention sets out and assigns the following:

1. Applicants for Intervention and those persons whom they seek to represent herein are Qualified Electors who are African American residents of the State of Alabama.

2. Applicants for intervention and members of the class of persons they seek to represent herein aver that the present congressional redistricting plan violates 42 U.S.C. § 1971 et seq in that the existing Congressional district lines do not allow a reasonable opportunity for the election of an African American to Congress from the State of Alabama and results in the denial or abridgment of the right of Applicants for Intervention to vote on an account of race or color in violation of §2 of the Voting Rights Act of 1965, 42 U.S.C. §1973.

3. Applicants for Intervention, for themselves and all other person similarly situated, are entitled to intervene as a matter of right pursuant to and in accordance with the provisions of Rule 24(a), Federal Rules of Civil Procedure, because Applicants and the class of persons they seek to represent have a substantial interest in the subject matter of the litigation, and particularly those legal and factual issues which relate to the drawing of a new congressional redistricting plan in time for such a plan to be effectively implemented prior to the congressional primary election scheduled for June 2, 1992. Applicants for Intervention and all other persons similarly situated have a substantial interest in any congressional redistricting plan to insure that the requirements of the Voting Rights Act are not violated. The disposition of this case as to the constitutionality of the present congressional districting plan will as a practical matter impair or impede the ability of Applicants, and those whom they seek to represent, to protect their interests. The interests of the Applicants and those persons who are similarly situated are not adequately represented by the existing parties.

4. Applicants for Intervention, and those persons similarly situated, should be granted permissive intervention in this action pursuant to and in accordance with the provisions of Rule 24(b), Federal Rules of Civil Procedure, because the claims of the Applicants and the issues currently pending before the Three Judge District Court have questions of law and fact in common; the Applicants and those persons similarly situated whom they seek to represent will be bound by any judgment, decree or order entered or to be entered in this action. Intervention by Applicants, for themselves, and on behalf of those persons similarly situated, will not in any way delay or prejudice the further adjudication of the rights of the original parties.

WHEREFORE Applicants for Intervention, for themselves and all persons similarly situated, respectfully move the court for an Order permitting them to intervene, for themselves and all persons similarly situated, as Plaintiffs in this action and allowing them to file the attached Complaint in Intervention. Applicants for Intervention further respectfully move that they be accorded the right to orally argue their claims before the Court.

Submitted by,

/s/ John H. England, Jr.
John H. England, Jr.

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/s/ Ronnie L. Williams
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814 St. Francis
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ATTORNEYS FOR APPLICANTS IN INTERVENTION, FOR THEMSELVES AND ALL PERSONS SIMILARLY SITUATED

CERTIFICATE OF SERVICE

This is to certify that I have this 3rd day of December, 1991 served a copy of this Motion on each of the following by depositing a copy of same in a properly addressed envelope with adequate postage thereon:

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/s/ John H. England
Attorney for Applicants
in Intervention

APPENDIX C

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

CIVIL ACTION NO. 91-0787-BH

PAUL CHARLES WESCH,
Plaintiff,

vs.

GUY HUNT, JAMES H. EVANS, BILLY JOE CAMP,
LIONEL W. NOONAN, HARRY D'OLIVE,
DEVON WIGGINS, OTHA LEE BIGGS, JERRY BOGAN,
CLARENCE WATTERS, and TOM TURNER,
all sued in their official or representative capacities only,
Defendants.

ORDER

On December 4, 1991, Michael Figures and Joseph Mitchell moved to intervene, as a class, on behalf of themselves and on behalf of all similarly situated persons pursuant to Rule 24 of the *Federal Rules of Civil Procedure*. (Document #39). The intervenors define their class "so as to include all qualified electors who are African-American residents of the State of Alabama." *Complaint In Intervention* (Document #39). *See* Rule 23(b)(1).

The Court **GRANTS** the motion to intervene as plaintiffs pursuant to Rule 24(b). The Court certifies the intervenors, as a class, with Mr. Figures and Mr. Mitchell serving as class representatives pursuant to Rule 23(b)(1)(B).

The Court has previously notified the intervenors' counsel of the various deadlines outlined in the Court's Order of November 22, 1991 [Document #35]. These deadlines remain fixed.

On December 6, 1991, Charles Steele and Garria Spencer filed a motion seeking to join the pending motion to intervene "as if [it was] filed in their own names." (Document #47). This motion to join the intervention is GRANTED upon Mr. Steele and Mr. Spencer jointly filing, with Mr. Figures and Mr. Mitchell, an amended Complaint in Intervention. This Complaint should specify Mr. Steele and Mr. Spencer's interest in this action, their county of residence, and whether their proposed role in the litigation will be to serve as additional class representatives.

The Clerk is directed to notify all the parties of this Order by telephone, to be confirmed by mail.

The Honorable Emmett R. Cox, Circuit Judge, and the Honorable W. Harold Albritton, District Judge, appointed to serve with the undersigned as members of the three-judge panel for the instant action, concur in this Order.

Done this 9th day of December, 1991.

/s/ W. Brevard Hand
W. Brevard Hand
Senior District Judge

APPENDIX D

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

CIVIL ACTION NO. 91-0787-BH

PAUL CHARLES WESCH,
Plaintiff,

vs.

GUY HUNT, et al.,
Defendants.

SUPPLEMENTAL STIPULATION

According to the 1990 data compiled and released by the United States Bureau of the Census, the African American population in the State of Alabama is sufficiently compact and contiguous to comprise a single member significant majority (65% or more) African American Congressional district. Consequently, all parties agree that a significant majority African American Congressional district should be created.

DATED this the 3rd day of January, 1992.

/s/ Marc Givhan
MARC GIVHAN
Attorney for James Evans
and Billy Joe Camp

/s/ A.S. Agricola
ALGERT S. AGRICOLA
Attorney for Guy Hunt

/s/ James C. Wood
JAMES C. WOOD
Attorney for L.W. Noonan

/s/ John H. England, Jr.
JOHN H. ENGLAND, JR.
Attorney for Intervening Plaintiffs

/s/ Bruce Wilson
BRUCE N. WILSON
Attorney for Clarence Watters

/s/ David A. Boyett, III
DAVID A. BOYETT, III
Attorney for Plaintiff

APPENDIX E

[14] * * *

Q Now, the Sam Pierce "Zero" plan contains a major black district, does it not?

A Yes it does.

Q Now, I will refer you now to plaintiff's exhibit six. Can you see that from here?

A Yes.

Q Would you indicate to the court where the majority black district is in the Sam Pierce?

A That would be the blue district in the middle western part of the state.

Q Let's label that District seven, can you see that?

A The numbers are hard to see from here.

Q Now, do you know what percentage of the total population in that district is black?

A Sixty-seven point sixty-nine.

[15]

Q Do you know what percentage of voting age population in that district is black?

A Sixty-three point five eight.

Q And have you determined what percentage of registered voters in that district is black?

A Yes, the reapportionment office has data on the race of the registered voters as of December, 1990, and that figure for that district in the Pierce plan is fifty-five point five five percent.

Q Now, have you compared the Pierce "Zero" plan to the Reed plan in terms of the percentage composition of the majority black district?

A Yes, I have.

Q How does the Pierce "Zero" plan compare to the Reed plan in terms of the percentage composition of its majority black district in terms of the total population?

A Slightly higher, by one percentage point.

A How does the Pierce "Zero" plan compare to the Reed plan in terms of voting age population, that is black in the majority black district?

A About four tenths of a percentage point higher in the Pierce plan.

Q How does the Sam Pierce "Zero" plan compare to the Joe Reed plan in terms of the black voting age **[16]** population in the majority black district?

A The Pierce plan is a little over three percentage points higher than the Reed plan.

Q Now, do you have any opinion, based upon your study of the Sam Pierce "Zero" plan and the data relevant to that plan, as to whether the Sam Pierce "Zero" plan would provide black voters with a viable opportunity to elect a candidate of their choice?

A Yes, I have an opinion on that.

Q What is that opinion?

A I believe it will provide that opportunity.

Q Do you have an opinion as to whether the Sam Pierce "Zero" plan will dilute the voting strength of the black voters in Alabama?

A No, I don't think it will dilute the black voting strength.

Q What is the basis of those two opinions you just expressed?

A Well, essentially I would say it is a viable district and non diluted for three reasons. One, it has — the racial composition of the district is slightly more black in voting age population and, as I said, three percentage points in registration, than the Reed plan. And I am familiar with the background of Mr. Reed and I don't think he would be diluting the votes of [17] African-Americans in the State of Alabama in a plan that he proposes and it also satisfies the rules of thumb of sixty-five percent in terms of total population but more importantly it provides over fifty-five percent black voter registration in that district.

Q Now, have you compared the Pierce "Zero" plan to the other four plans that have been submitted in this case in terms of composition of total population, voting age population, and registered voter population in the majority black district of those plans?

A Yes, I have.

Q Can you briefly summarize where the Pierce "Zero" plan ranks in terms of percentage composition of black voters or black residents in its majority black district, ranking it in accordance with the other plans?

A In terms of total population, it has the second highest percentage. It is about three tenths of a percentage point below the Modified Unity plan. In terms of the voting age population, again it is the second highest and it is less than one percentage point below, again, the Modified Unity plan. In terms of voter registration, it is the most black district in all the plans. * * *

[48] * * *

BY MR. ENGLAND:

Doctor Engstrom, did you have an opportunity to review and compare the Pierce "Zero" plan, the Reed plan and the plan that is called the Hilliard Two district plan, CD-25, the Modified Unity plan and the Unity plan with respect to the criteria that the legislature set out in its reapportionment guidelines?

A Not all of them. I only compared them in [49] terms of population and the quality and the racial demographics of the districts. The maps I have had of the other plans don't allow me to really get into — I had no real detail characteristics, for example, through which to count county splits or the precinct splits and in a couple of cases the map was illegible in terms of my ability to look at it and distinguish districts.

Q So that you made an assessment then based upon only two criteria of all the plan?

A Of all the plans, based on those two criteria, whether they comply with the population equality or the extent to which they deviate therefrom and the non dilution criteria.

Q As I understand it, you have indicated that with respect to the first criteria that there were problems with the Modified Unity plan, the Unity plan, CD-25 and the Hilliard plan?

A CD-25 has deviations of — combined deviation of a hundred and four people. Then the others have more, the Modified Unity being the one with the greatest deviation, which is combined, over nine thousand people.

Q You then made an evaluation as to the minority district, is that correct?

A Yes.

Q Did you make any determination with respect to [50] that?

A Yes.

Q What was that determination?

A All the plans provided a district, a minority district, of at least sixty-five percent in total population and sixty percent in voting age population, except the Hilliard, I believe the second version. The others have — don't have the voter registration data for CD-25. We do for United and Modified Unity and in Unity it is fifty-two point three percent black and Modified Unity it is fifty-four point six black. The Hilliard plan does not contain a single black majority district in voter registration.

Q In you judgment, does that present a problem regarding the voter dilution claim?

A The Hilliard plan?

Q Yes, sir.

A I have not seen evidence that the Hilliard plan therefore creates viable minority districts.

Q In your opinion, then it would be that the Hilliard plan would not create a viable minority district, based on what you could assess from it?

A Given that the creation of a second district came at the expense of the black figures in the first district, the first majority black district — in other [51] words, creating two means that the one district is going to be less black than in a single black majority plan. I don't know if they are both viable minority districts or either is a viable minority district. I do know that the voting age population is above a majority but voter registration is below a majority. * * *

APPENDIX F

[161] * * *

Q Do you think it is possible for a plan to be fashioned that would give two majority black districts?

A I wouldn't counsel it, frankly.

Q Viable districts?

A I wouldn't counsel it, frankly. I think that the safest way to get a black district is to draw one district sixty-five percent or above. Now, I am not going to sit here and tell you or anyone else under no circumstances, conditions, shape, form or fashion that other results couldn't occur.

But we are talking about one who fashioned a plan based on my experience and based on my knowledge of Alabama politics that I felt much better drawing one district predominantly black with over sixty-five percent black in it. * * *

APPENDIX G

[243] * * *

Q Now, you have expressed some concerns about the viability of the two majority black district plan, it that correct?

A I have concerns about whether we can actually divide the black concentrations in this state in such a [244] way that the black population, you know, could elect a candidate of its choice in either of those districts. It puts a pretty strong burden on the black community, you know, to register hard and turn out hard and they have to do that.

Q In evaluating the viability of a two majority black district plan would one factor you would consider be the extent to which black political leaders in Alabama advocated or promoted the creation of such a plan?

A Could you repeat that question.

Q I am sorry. In evaluating the majority of a two district plan in Alabama, would one of the factors you consider important be the extent to which that plan was supported or advocated by black political leaders?

A Yes, sir. I think it would be very important. * * *

APPENDIX H

[38] * * *

THE COURT: Have you agreed on the language of the stipulation now?

MR. COOPER: Essentially we have.

THE COURT: Can we see it?

MR. ENGLAND: It raises a claim on Section 2, [39] one person one vote, but yes, sir, here it is.

THE COURT: On that stipulation what does it do to your Hilliard claim?

MR. ENGLAND: It makes it difficult.

THE COURT: Guts it, doesn't it?

MR. ENGLAND: Well, the proponent of the plan will give his explanation as to why he feels —

THE COURT: Is he a party plaintiff?

MR. ENGLAND: No, sir. He is not a party plaintiff. That is one of the plans, you know, we attempted to file on behalf of a class of people, many of whom had different views about the subject.

THE COURT: Well, let me ask you this, we did grant class status and you are limited class status and you have — you are representing the class and I assume Mr. Hilliard in that class?

MR. ENGLAND: That is correct.

THE COURT: Can you stipulate him out of court?

MR. ENGLAND: Your Honor, this stipulation contains a significant minority district and the rational [sic] provided by

that individual to support that plan indicates its own justification from varying from that, you know, from, everybody in the class with one possible — with the possible exception of that person [40] wanted that plan to have a sixty-five percent majority district.

They could do it under the constraints that we say. So that is the highest percentage that they come up with and I am comfortable that that stipulation is not inconsistent with what the class desires and my purpose in presenting the Hilliard plan is to make sure the court has an opportunity to view every significant group that has represented something in the class that we seek to represent. * * *

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No. 91-1992

In the Supreme Court of the United States

OCTOBER TERM, 1992

MICHAEL FIGURES, ET AL., APPELLANTS

v.

GUY HUNT, GOVERNOR OF ALABAMA, ET AL.

ON APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF ALABAMA

BRIEF FOR THE UNITED STATES AS AMICUS CURIAE

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QUESTION PRESENTED

Whether the district court abused its discretion when it denied appellants' motion under Fed. R. Civ. P. 60(b) to modify a court-ordered congressional redistricting plan in light of objections by the Attorney General of the United States to a separate, but similar, plan adopted by the State of Alabama and submitted for preclearance under Section 5 of the Voting Rights Act of 1965, 42 U.S.C. 1973c.

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BRIEF FOR THE UNITED STATES AS AMICUS CURIAE

STATEMENT

This brief is submitted in response to the Court's order inviting the Solicitor General to express the views of the United States.

1. The Alabama Legislature adjourned on July 29, 1991, without passing a congressional redistricting plan. As a result, the redistricting plan enacted in 1981 in response to the 1980 census was left in place. J.S. App. 137a, 140a. The 1990 census did not require any change in the number of districts created under the 1981 plan. The 1990 census did, however, show that some of the seven existing congressional districts deviated from the "ideal" population required for population equality among the districts. Specifically, the 1990 census re-

vealed that the most populous district varied from the ideal population by 4.59% and that the least populous district varied from the ideal population by 7.71%. J.S. App. 137a-138a. The 1990 census also indicated that 25.26% of Alabama's population is black, and that 22.73% of its voting-age population is black. Nonetheless, blacks did not constitute a majority in any of the districts created under the 1981 plan, and no black has been elected to Congress from Alabama since the Reconstruction era. J.S. App. 138a, 163a, 169a, 217a.

2. In September 1991, plaintiff Paul Charles Wesch filed suit in the United States District Court for the Southern District of Alabama. The complaint alleged that Alabama's seven congressional districts had become malapportioned, in violation of the equal representation standard of Article I, Section 2 of the federal Constitution. J.S. App. 135a. Appellants Michael Figures and Joseph Mitchell later intervened on behalf of a proposed class of black voters and asserted claims under Section 2 of the Voting Rights Act of 1965, 42 U.S.C. 1973. J.S. App. 136a.

A three-judge district court was convened pursuant to 28 U.S.C. 2284(a). J.S. App. 136a. The court held that the existing plan was unconstitutional because of the population variances among the districts. The court also determined that the Alabama Legislature would not have time after it reconvened in February to enact a redistricting plan and have it precleared by the April 3, 1992, qualifying deadline for the congressional primaries. The court therefore found it necessary to draw its own redistricting plan. J.S. App. 5a, 140a-141a, 146a.

The parties proposed six plans that the court considered in a two-day trial in January 1992. Only two of the plans, the Reed Plan and the Pierce Plan, achieved population equality among the districts. J.S. App. 142a. Five of the six plans contemplated one majority black district.

The remaining plan (the Hilliard Plan), which was initially proposed by appellants, had two majority black districts. Appellants later conceded, however, that the Hilliard Plan "probably provided obstacles of sufficient nature to cast doubt on their opportunity to elect candidates of their choice in [the two proposed majority black] districts." See J.S. App. 143a. Furthermore, appellants subsequently stipulated that "the African American population in the State of Alabama is sufficiently compact and contiguous to comprise a single member significant majority (65% or more) African American Congressional district," and that a single majority black district "should be created." Mot. to Dis. or Aff. App. A9.

Three weeks after trial, the court issued an order stating that it intended to adopt the Pierce Plan (proposed by plaintiff Wesch) with certain modifications to be made by the court-appointed statistical expert. The court's order also stated that the parties could object to the accuracy of the statistical data upon which the expert relied. *Wesch* v. *Hunt*, No. 91-0787 (S.D. Ala. Jan. 27, 1992); J.S. App. 137a.

Four days before judgment was entered, the Alabama Legislature adopted a redistricting plan. The Legislature's plan differed from the plans submitted to the court, but, like those plans, it provided for only one majority black district. J.S. App. 142a. The next day, the State filed a motion with the district court seeking leave to use the Legislature's plan, rather than the modified Pierce Plan that the court had said it would adopt, for the 1992 congressional primary elections.

3. In a judgment entered on March 9, 1992, the district court denied the State's motion to use the Legislature's plan on the ground that that plan had not been precleared under Section 5 of the Voting Rights Act of 1965, 42

U.S.C. 1973c. J.S. App. 150a-152a.[1] Consistent with its January order, the district court adopted a plan similar to the Pierce Plan. J.S. App. 149a-150a. The court-ordered plan provides population equality and one majority black district with a voting-age population that is 63.58% black. J.S. App. 143a. The court stated that, in light of the parties' stipulation that a single majority black district should be created, it was unnecessary "to decide whether the creation of a majority African-American district is mandated by either § 2 or the Constitution and as a matter of judicial restraint [the court] d[id] not undertake to do so." J.S. App. 149a.

Because the April 3 qualifying deadline for the June 2, 1992, congressional primaries was imminent, the court ordered that its plan be used for the 1992 congressional elections unless the Legislature's plan was precleared by March 27, 1992. J.S. App. 5a-6a, 151a-154a. The court also ordered that its plan be used for all subsequent congressional elections until the Legislature enacts a plan that achieves Section 5 preclearance. J.S. App. 5a-6a, 154a.

4. The State submitted its redistricting plan to the United States Department of Justice for preclearance pursuant to Section 5 on March 11, 1992. J.S. App. 222a. At the same time, the State requested preclearance of a change in the qualifying deadline for congressional primaries from April 3, 1992, to May 4, 1992. J.S. App. 176a.

After expedited consideration, on March 27, 1992, the Attorney General, through the Assistant Attorney General for Civil Rights, precleared the postponement of the

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[1] On March 27, 1992, this Court denied the State's motion for a stay of the district court's order of March 9, 1992. *Camp* v. *Wesch*, 112 S. Ct. 1551 (1992). On May 18, 1992, the Court affirmed the district court's order denying the State's motion for leave to use the Legislature's plan for the 1992 elections. *Camp* v. *Wesch*, 112 S. Ct. 1926 (1992).

qualifying deadline but objected to the Legislature's redistricting plan. J.S. App. 222a. The Attorney General's objection was based on his determination that the State had not shown that its plan was not adopted with a discriminatory purpose and would not have a discriminatory effect. J.S. App. 224a. In particular, the Attorney General found that the State had failed to justify the creation of only one majority black district. The Attorney General expressed concern that the creation of a single such district reflected an attempt by the State's political leadership to "limit[] black voting potential." J.S. App. 223a. The Attorney General also observed that under the State's plan, aside from the single black majority district, "the state's concentrated black population * * * is fragmented * * * among a number of districts none of which has a black population of as much as 30 percent." *Ibid.* The Attorney General noted that "at least the outlines of alternative plans that avoided such fragmentation were available or readily discernible by state officials and that such alternatives would provide for two Congressional districts with black voting age population majorities." *Ibid.*[2]

5. Upon learning that the Attorney General had not precleared the State's plan, appellants moved the district court to modify its judgment pursuant to Fed. R. Civ. P. 60(b). J.S. App. 174a-175a. Appellants argued that since the Attorney General's objection to the Legislature's plan was based on the "failure [of the plan] to create two majority black congressional districts," J.S. App. 175a, the court should schedule a hearing to consider whether

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[2] Appellants' appendix contains a typographical error on page 223a. The affected portion of the objection letter actually reads: "Our analysis further indicates that the fragmentation of black population concentrations outside of the one district with a black voting age population majority was *un*necessary" (emphasis added).

the failure of the court's plan to create two majority black districts unfairly diluted minority voting strength. J.S. App. 176a, 181a. The district court summarily denied the motion six days later. J.S. App. 184a. The court also summarily denied appellants' request to supplement the record with evidence that the court's plan impermissibly fragmented minority voting strength and that, as the Attorney General found in his objection, it is possible to create a plan with two viable majority black districts that meets the Constitution's one-person, one-vote requirement. J.S. App. 187a-189a, 221a.

DISCUSSION

This case presents a narrow issue: whether the district court abused its discretion when it denied appellants' motion under Fed. R. Civ. P. 60(b) to reopen the judgment ordering use of the court-adopted redistricting plan for the 1992 congressional elections. In our view, the court did not abuse its discretion in denying the motion. Prior to the judgment, appellants stipulated that a single majority black district "should be created." Mot. to Dis. or Aff. App. A9. They changed their position on that issue only when, after adoption of the court's plan, the Attorney General objected to a separate plan adopted by the Alabama Legislature. The Attorney General's objection to a state plan that was not before the court did not, however, invalidate the court-adopted plan. Nor did the objection compel the district court to reopen the judgment under Rule 60(b). The Attorney General's objection to the Legislature's plan was not tantamount to a determination that the court-adopted plan violated Section 2 of the Voting Rights Act. The objection, instead, reflected a determination that the State had failed to meet its burden of showing that the Legislature's plan was entitled to preclearance. That determination may

have justified, but it did not compel, relief under Rule 60(b).

1. Section 5 of the Voting Rights Act of 1965 prohibits Alabama, as a covered jurisdiction, from implementing "any * * * standard, practice, or procedure with respect to voting different from that in force or effect on November 1, 1964," unless such changes receive judicial preclearance from the United States District Court for the District of Columbia or administrative preclearance from the Attorney General. 42 U.S.C. 1973c. Preclearance is appropriate when the jurisdiction's proposed change does not have the purpose or the effect of "denying or abridging the right to vote on account of race or color, or [membership in a language minority group]." *Ibid.* Because redistricting plans are changes in voting procedures, see *McDaniel* v. *Sanchez*, 452 U.S. 130, 137-138 (1981), a State covered by Section 5 may not implement a new redistricting plan unless it proves that the plan has neither a discriminatory purpose nor a discriminatory effect.

Preclearance is required only where a "State or political subdivision" covered by Section 5 "enact[s] or seek[s] to administer" a change in election practices. 42 U.S.C. 1973c. Thus, as appellants acknowledge (J.S. 6), a "remedial directive of a federal court" that does not "reflect[] the policy choices of the elected representatives of the people" is not subject to Section 5's preclearance requirements. *McDaniel* v. *Sanchez*, 452 U.S. at 144, 153; *Connor* v. *Johnson*, 402 U.S. 690, 691 (1971) (per curiam). That conclusion fully comports with the underlying purposes of the preclearance requirement. Section 5 was enacted because some covered States "had resorted to the extraordinary stratagem of contriving new rules of various kinds for the sole purpose of perpetuating voting discrimination in the face of adverse federal court decrees," and Congress "had reason to suppose that

these States might try similar maneuvers in the future in order to evade the remedies for voting discrimination contained in the [Voting Rights] Act itself." *South Carolina* v. *Katzenbach*, 383 U.S. 301, 335 (1966). The aim of Section 5 is thus achieved when preclearance review is reserved for changes enacted or administered by covered jurisdictions, including changes enacted by legislatures pursuant to court orders. *McDaniel* v. *Sanchez*, 452 U.S. at 152-153.[3]

Section 5's preclearance requirement does not apply to the plan adopted by the district court in this case. The district court determined that no legislative plan could be precleared in time for the 1992 congressional primary elections. J.S. App. 140-141a, 151a. It accordingly found that "the only means by which Alabama's 1992 congressional primaries may be held in a timely manner * * * is pursuant to an interim redistricting plan ordered by this court." J.S. App. 141a. The court ultimately adopted a plan based on the Pierce Plan submitted by plaintiff, a private party. As the district court made clear, because the Pierce Plan was not formulated or proposed by a covered jurisdiction, the district court's plan did not "reflect the policy choices of the elected representatives of the people." J.S. App. 151a (citing, *inter alia*, *McDaniel* v. *Sanchez*, *supra*). The court refused to consider the plan enacted by the Legislature only days before the final judgment was entered (J.S. App. 152a-153a), and this Court upheld the district court's refusal to do so, *Camp* v. *Wesch*, 112 S. Ct. 1926 (1992).

The Attorney General's objection to the Legislature's plan did not bar the court from using its own plan.

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[3] See also 28 C.F.R. 51.18(a) (in general, "[c]hanges affecting voting that are ordered by a Federal court are subject to the preclearance requirement of section 5 to the extent that they reflect the policy choices of the submitting authority").

Instead, the Attorney General's objection prevented the State from implementing the Legislature's plan, and it prevented the court from ordering use of the Legislature's plan. This conclusion is consistent with the general principle—applicable to the more typical factual setting where the State enacts a plan to which the Attorney General objects—that the court may not order the *state* plan into effect until the Section 5 objection has been cured. See *Upham* v. *Seamon*, 456 U.S. 37, 43 (1982); *Wise* v. *Lipscomb*, 437 U.S. 535, 542 (1978). That principle reflects the court's duty to refrain from implementing a legislative plan that has not been precleared as required by Section 5.

2. Appellants moved for reconsideration pursuant to Fed. R. Civ. P. 60(b)(5) and (6). Those provisions authorize relief from a final judgment when "it is no longer equitable that the judgment should have prospective application" or for "any other reason justifying relief from the operation of the judgment." Because the district court "is in the best position to discern and assess all the facts," it "is vested with a large measure of discretion in deciding whether to grant a Rule 60(b) motion." *Twelve John Does* v. *District of Columbia*, 841 F.2d 1133, 1138 (D.C. Cir. 1988). The district court's ruling should not be disturbed in the absence of an abuse of discretion. See, *e.g.*, *Browder* v. *Director, Dep't of Corrections*, 434 U.S. 257, 263 n.7 (1978). In our view, the district court acted within its discretion in denying appellants' motion under Rule 60(b).

Rule 60(b) generally does not permit a party to relitigate an issue that was resolved in the underlying judgment. See, *e.g.*, *Ackermann* v. *United States*, 340 U.S. 193, 198 (1950); *Donovan* v. *Sovereign Sec., Ltd.*, 726 F.2d 55, 60 (2d Cir. 1984); *Merit Ins. Co.* v. *Leatherby Ins. Co.*, 714 F.2d 673, 682-683 (7th Cir.), cert. denied, 464 U.S. 1009 (1983). The threshold for challenging a judgment is

particularly high when the issue has been resolved by stipulation. *Good Luck Nursing Home, Inc.* v. *Harris*, 636 F.2d 572, 577 (D.C. Cir. 1980); see also *Allinsmith* v. *Funke*, 421 F.2d 1350, 1351 (6th Cir. 1970) (per curiam); 11 C. Wright & A. Miller, *Federal Practice and Procedure* § 2858, at 170-173 (1973). That is because the Rule was not intended to relieve a party from the consequences of tactical decisions at trial. *Ackermann*, 340 U.S. at 198; accord, *e.g.*, *Schwartz* v. *United States*, 976 F.2d 213, 218-219 (4th Cir. 1992). In particular, the use of the Rule to free a party from its prior stipulations would discourage litigants from entering into stipulations and reaching other agreements that promote an efficient use of the judicial process. Cf. *Mallory* v. *Eyrich*, 922 F.2d 1273, 1280-1281 (6th Cir. 1991) (changes in composition or political makeup of Board of Elections did not warrant Rule 60(b) relief from order entered upon State's offer of judgment admitting violation of Section 2 of Voting Rights Act).

Those principles fully apply here. In seeking relief under Rule 60(b), appellants contended that the court-adopted plan violated Section 2 of the Voting Rights Act because it created one, rather than two, majority black districts and unnecessarily fragmented the black voting population. At trial, however, appellants conceded that it "probably" was not possible to create a redistricting plan with two viable black majority districts (J.S. App. 143a), and they subsequently stipulated that only one majority black district "should be created." Mot. to Dis. or Aff. App. A9. In light of appellants' stipulation to the aspect of the judgment that they now seek to challenge, appellants were required to establish "extraordinary circumstances" for relief under Rule 60(b). See, *e.g.*, *Liljeberg* v. *Health Services Acquisition Corp.*, 486 U.S. 847, 863-864 (1988).

The Attorney General's Section 5 objection to the Legislature's plan did not constitute extraordinary circumstances compelling Rule 60(b) relief. The Attorney General determined that the State had failed to justify its failure to create two black majority districts. J.S. App. 223a-224a. While the Attorney General concluded that the State had failed to meet its burden of proof under Section 5, he also recognized that the "extreme time constraints" imposed by the court's order had "limited the state's ability to meet its burden." J.S. App. 223a. The same time constraints, the Attorney General emphasized, "necessarily * * * limited" his review of the State's submission. *Ibid.*

Thus, the Attorney General's objection did not represent a significant change in the law or the operative facts affecting the validity of the prior judgment. Cf. *System Fed'n No. 91, Railway Employes' Dep't* v. *Wright*, 364 U.S. 642, 646-653 (1961) (district court abused its discretion in refusing to modify consent decree prohibiting union-shop agreements in light of amendment to the Railway Labor Act permitting such agreements); *Pennsylvania* v. *Wheeling & Belmont Bridge Co.*, 59 U.S. (18 How.) 421, 431 (1856); see generally *Rufo* v. *Inmates of Suffolk County Jail*, 112 S. Ct. 748, 760-764 (1992). Under these circumstances, while the district court could reasonably have reopened its judgment to consider the Attorney General's objection, the court did not abuse its discretion in declining to do so.

CONCLUSION

The orders of the district court should be summarily affirmed.

Respectfully submitted.

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